

AN EXACT
Abridgment
Of all the
STATUTES
IN
FORCE and USE,

FROM THE
Beginning of the Sixth Year of
King *George*, to the Eleventh Year of
his said Majesty's Reign.

V O L. VI.

L O N D O N :

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M D C C X X V.

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A
T A B L E

- Of all the
Publick Statutes,

FROM THE

End of the Fifth Year of King George, to
the Beginning of the Eleventh Year of his said Ma-
jesty; Directing to the Heads under which they
are placed in the following ABRIDGMENT.
Together with the TITLES of the PRIVATE
ACTS.

Publick Acts.

Anno 6 Georgii.

1. **A**N ACT for granting to his Majesty an Aid by a Land-Tax
to be raised in Great Britain, for the Service of the Year
One thousand seven hundred and twenty. Robbery,
Par. I. Taxes, Par. I.
2. An ACT for continuing the Duties on Malt, Mum, Cyder, and
Perry, for the Service of the Year One thousand seven hundred and
VOL. VI. A twenty;

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- twenty; and for enabling the Lords Commissioners of his Majesty's Treasury to call in such Exchequer-Bills as are to be cancelled and discharged with Money appointed for that Purpose. *Exchequer-Bills*, Par. I. *Excise*, Par. I.
3. An Act for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters. *Soldiers*, Par. I.
 4. An Act for enabling the South-Sea Company to increase their present Capital Stock and Fund, by redeeming such publick Debts and Incumbrances as are therein mentioned; and for raising Money to be applied for lessening several of the Publick Debts and Incumbrances; and for calling in the present Exchequer-Bills remaining uncanceled; and for making forth new Bills in lieu thereof, to be circulated and exchanged upon Demand at or near the Exchequer. *Exchequer-Bills*, Par. II. *South-Sea Company*, Par. I.
 5. An Act for the better Securing the Dependency of the Kingdom of Ireland upon the Crown of Great Britain. *Ireland*, Par. I.
 6. An Act for preventing the Carriage of excessive Loads of Meal, Malt, Bricks and Coals, within Ten Miles of the Cities of London and Westminster. *Highways*, Par. I.
 7. An Act for laying a Duty of Two Pennies Scots, or One sixth Part of a Penny Sterling, upon every Pint of Ale or Beer that shall be vended or sold within the Town of Montrose and Privileges thereof, for supplying the said Town with Fresh Water, and for other Purposes therein mentioned. *Scotland*, Par. LX.
 8. An Act for laying a Duty of Two Pennies Scots, or One sixth Part of a Penny Sterling, upon every Scots Pint of Beer or Ale vended or sold within the Town of Bruntisland and Liberties thereof, for increasing the Publick Revenue of the said Town, and for other Purposes therein mentioned. *Scotland*, Par. XII.
 9. An Act for laying a Duty of Two Pennies Scots, or One sixth Part of a Penny Sterling, upon every Scots Pint of Beer and Ale that shall be vended or sold within the Town of Pittenweem and Liberties thereof, for repairing the Harbour there, and for Maintaining other Publick Works of the said Town. *Scotland*, Par. LXIII.
 10. An Act for making forth New Exchequer-Bills, not exceeding One Million, at a certain Interest; and for lending the same to the South-Sea Company at an higher Interest, upon Security of repaying the same and such high Interest into the Exchequer, for Uses to which the Fund for lessening the Publick Debts (called the Sinking Fund) is applicable; and for circulating and exchanging upon Demand the said Bills at or near the Exchequer. *Exchequer-Bills*, Par. XXXII.
 11. An Act for laying a Duty upon wrought Plate; and for applying Money arising for the clear Produce (by Sale of the Forfeited Estates) towards Answering His Majesty's Supply; and for taking off the Drawbacks upon Hops exported for Ireland; and

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for Payment of Annuities, to be purchased after the Rate of Four Pounds per Centum per Annum at the Exchequer, redeemable by Parliament; and for appropriating Supplies granted in this Session of Parliament; and to prevent Counterfeiting Receipts and Warrants of the Officers of the South-Sea Company; and for explaining a late Act concerning Foreign Salt cellar'd and lock'd up before the Four and twentieth Day of June One thousand seven hundred and nineteen; and to give a further Time for paying Duties on certain Apprentices Indentures; and for Relief of Thomas Vernon Esq; in Relation to a Parcel of Senna imported in the Year One thousand seven hundred and sixteen. Annuities, Par. I. Apprentices, Par. I. Hops, Par. I. Plate, Par. I. Salt, Par. I. Scotland. Par. LVII. Senna. South-Sea Company, Par. LXIX. Taxes, Par. II. Treason, &c. Par. I.

12. An Act for preventing of Frauds and Abuses in the Allowances on damaged Wines, and for lengthning the Time for the Drawbacks on the Exportation of Wines. Wines, Par. I.
13. An Act for ascertaining the Breadths, and preventing Frauds and Abuses in manufacturing Serges, Pladings, and Fingrums, and for regulating the Manufactures of Stockings in that Part of Great Britain called Scotland. Scotland, Par. LXIV.
14. An Act for prohibiting the Importation of Raw Silk and Mohair Yarn of the Product or Manufacture of Asia, from any Ports or Places in the Streights or Levant Seas, except such Ports and Places as are within the Dominions of the Grand Seignior. Trade, &c. Par. I.
15. An Act to repeal so much of the Act, Intituled, An Act for preventing Frauds, and regulating Abuses in his Majesty's Customs, pass'd in the Thirteenth and Fourteenth Years of King Charles the Second, as relates to the Prohibiting the Importation of Deal-Boards and Fir-Timber from Germany. Trade, &c. Par. II.
16. An Act to explain and amend an Act pass'd in the First Year of his Majesty's Reign [Intituled, An Act to encourage the Planting of Timber-Trees, Fruit-Trees, and other Trees, for Ornament, Shelter, or Profit, and for the better Preservation of the same, and for the preventing the Burning of Woods] and for the better Preservation of the Fences of such Woods. Trees, Par. I.
17. An Act for appointing Commissioners to examine, state, and determine the Debts due to the Army; and to examine and state the Demands of several Foreign Princes and States for Subsidies during the late War. Accounts, Par. I. Annuities, Par. XVII.
18. An Act for better securing certain Powers and Privileges intended to be granted by His Majesty by Two Charters for Assurance of Ships and Merchandizes at Sea, and for Lending Money

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upon Botany; and for restraining several extravagant and unwarrantable Practices therein mentioned. Insurance-Corporations, Par. I. Trade, &c. Par. V.

19. An Act for making perpetual so much of an Act made in the Tenth Year of the Reign of Queen Anne, for the reviving and continuing several Acts therein mentioned, as relates to the Building and Repairing County-Goals; And also an Act of the Eleventh and Twelfth Years of the Reign of King William the Third, for the more effectual Suppression of Piracy; and for making more effectual the Act of the Thirteenth Year of the Reign of King Charles the Second, Intituled, An Act for Establishing Articles and Orders for the Regulating and better Government of his Majesty's Ships of War and Forces by Sea. Gaols. Piracy, Par. I. Trial, Par. I. Vagrants.
20. An Act for continuing the Acts formerly made for repairing the Highways in the County of Hertford therein mentioned, and for making the said Acts more effectual. Highways, Par. II.
21. An Act for preventing Frauds and Abuses in the Publick Revenues of Excise, Customs, Stamp-Duties, Post-Office, and House-Money. Appeals. Brandy, &c. Par. I. Cards and Dice. Customs, Par. I. Excise, Par. II. Hops, Par. II. Houses. Ireland, Par. III. Salt, Par. I. Post-Office. Spices, Stamp-Duties, Par. I. Sweets. Trial, Par. II. Warrants. Tobacco, Par. I.
22. An Act for Relief of Insolvent Debtors, and for the more easie Discharge of Bankrupts out of Execution, after their Certificates allowed. Bankrupt, Par. I. Insolvent Debtors.
23. An Act for the further Preventing Robbery, Burglary, and other Felonies, and for the more effectual Transportation of Felons. Felons. Robbery, Par. II.
24. An Act for better explaining the Nature of Conveyances to be made to the Purchasers of the Forfeited Estates by the Commissioners and Trustees Acting in Scotland; and for preventing Difficulties in determining Claims on the said Estates; and to enable the Judges in Ireland to examine Witnesses relating to Claims on forfeited Estates there; and for enabling such Corporations as shall purchase any of the said Estates, to grant Annuities, not exceeding the Yearly Value of the said Estates; and for relieving the Widow and Daughters of the late Sir Donald Macdonald. Scotland, Par. LVI. Treason, &c. Par. II.
25. An Act for repairing the Roads from Stevenidge in the County of Hertford, to Biggleswade in the County of Bedford. Wiltshire, Par. V.
26. An Act for enlarging the Term granted by an Act in the Fourth Year of His Majesty's Reign, Intituled, An Act for repairing the Highway, leading from the Stones End in Kent-street to the Lime-Kilns in East-Greenwich near Black-Heath, and to
Lewisham

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Lewisham Church, being the Tunbridge Road in the County of Kent; and for repairing and amending the Highways and Roads leading from Westminster Ferry in the Parish of Lambeth in the County of Surrey, to New-Cross in the Parish of Deptford in the County of Kent; and for enlarging the Term granted by an Act passed in the Fourth Year of his Majesty's Reign, Intituled, An Act for Amending the Roads from the City of London to the Town of East-Grinstead in the County of Sussex, and to Sutton and Kingston in the County of Surrey, and for the explaining and amending the same Act. Highways, Par. VI.

27. *An Act for making the River Darwent in the County of Derby, navigable. Rivers, Par. I.*
28. *An Act for making the River Douglas, alias Asland, navigable, from the River Ribble to Wigan in the County Palatine of Lancaster. Rivers, Par. XXVIII.*
29. *An Act for preserving and improving the Navigation of the River Ouse in the County of Huntingdon. Rivers. Par. LI.*
30. *An Act for making the River Idle navigable, from East-Retford in the County of Nottingham, to Bawtry-Wharf in the County of York. Rivers, Par. LXIII.*

Private Acts.

1. **A** *N Act for settling and assuring the Manors of Orton and Bottle-Bridge, and other Premises in the County of Huntingdon, to the several Uses mentioned in the Will of Margaret late Dutches of Newcastle, and for other Purposes therein mentioned.*
2. *An Act for vesting Part of the Estate of Thomas Earl of Hadinton, in Trustees, to be sold, and with the Monies arising thereby, to purchase other Lands of the like Value to be settled to the same Uses.*
3. *An Act to enable Anne Walker, alias Baughs, a Minor, the Wife of Thomas Folliot Walker, Gent. to sell and convey unto the Right Honourable William Conolly, Esq; and his Heirs, her Share and Proportion of several Manors, Lands, Tenements and Hereditaments in the Kingdom of Ireland, devised to her by the Last Will of Thomas late Lord Folliot deceased; and for other Purposes therein mentioned.*
4. *An Act for confirming a Partition made between the Right Honourable George Lord Carbery, Baron of Carbery in the Kingdom of Ireland, and Henry O'Brien, Esq; of certain Manors, Lands and Hereditaments in the several Counties of Northampton and Rutland*

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9. *An Act for inclosing the Common, commonly called Baltonsbury Common, in the Parishes of Baltonsbury and Bradley in the County of Somerset.*
6. *An Act to enable Thomas Dove, Esq; to raise Two thousand Pounds upon his Estate at Upton, Sutton, Aylesworth, and Castor, and to make Sale of his Estate at Heathencoate in the County of Northampton, for discharging Incumbrances upon the said Estates, raising of Portions for his Brother and Sister, and Payment of his Father's and his own Debts.*
7. *An Act for inclosing the Heath or Common, commonly called Gratwood Heath in the Parish of Ecclethall in the County of Stafford.*
8. *An Act to enable the Lessees and Farmers of Daniel Whitby Doctor in Divinity, and Prebendary of the Prebend of Teington Regis, in the Cathedral Church of the Blessed Lady Mary the Virgin, of Sarum, and of all succeeding Prebendaries of the said Prebend for the Time being, to make Leases of the Copyhold Lands of the several Manors of Preston alias Prestown and Churchland, alias the Parsons Land, in the County of Devon.*
9. *An Act for making the Townships of Shipston and Tidmington a distinct Parish from the Parish of Tredington in the County and Diocese of Worcester, and for dividing the Rectory of the said Parish of Tredington into Three Parts.*
10. *An Act for supplying the Defects in, and better Performance of the Will of Edmund Dunch Esq; deceased.*
11. *An Act for discharging certain Estates in the Counties of Lincoln and Warwick, of and from the Uses and Limitations contained in the Marriage-Settlement of Sir William Keyte Baronet, and settling other Lands in the County of Gloucester, of greater Value, to the same Uses.*
12. *An Act for vesting the Estates of Sir John Hales and Sir Christopher Hales Baronets, deceased, in Trustees, to be sold, for raising Money for the paying and discharging the Debts and Incumbrances charged thereupon, and affecting the same, and for other Purposes therein mentioned.*
13. *An Act for Sale of Part of the Estate of Sir John Chichester Baronet, for the Purposes therein mentioned.*
14. *An Act to enable Elizabeth Gomeldon Widow, and her Trustees, to enter their respective Claims before the Commissioners and Trustees of the forfeited Estates, and to empower the said Commissioners and Trustees to hear and determine the same.*
15. *An Act to enable Laurence Broderick, an Infant, to perform certain Articles of Agreement entred into by Anne his Mother, since deceased, to whom he is Heir.*

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16. *An Act to enable Trustees to sell Part of the Estate of John Sandford Esq; deceased, for the Payment of his Debts and Legacies, and for other Purposes therein mentioned.*
17. *An Act for Sale of the Estate of William Pembroke, late of Portsmouth-Dock, deceased, situate at North-Mims in the County of Hertford, for the Purposes therein mentioned.*
18. *An Act for vesting the Estate of John Pendarves, late of Roscrow, in the County of Cornwall, Esq; deceased, in New Trustees, to and for the same Uses, Intents and Purposes, as are mentioned in his Will.*
19. *An Act to enable John Rosier Esq; and his Issue, to change their Surnames from Rosier to Reynolds.*
20. *An Act for the Naturalization of Mary Sophia Charlotte, Viscountess Howe, Wife of Scroop Lord Viscount Howe of the Kingdom of Ireland.*
21. *An Act for naturalizing Gerard Van Neck.*
22. *An Act for naturalizing Bennet Erasmus Hopfer.*
23. *An Act for naturalizing John Backer and George Kruger.*
24. *An Act for naturalizing Samuel Gampert.*
25. *Act for naturalizing Cornelius Backer and Henry de Putter,*
26. *An Act for naturalizing Francis Van Hemert, John Van Hemert, Frederick Morgan, and Henry Nicholas Sander.*
27. *An Act for naturalizing John Henry Grutzman.*
28. *An Act for vesting the Estate late of Gilbert Nicholetts Esq; deceased, in Trustees for Payment of his Debts and Sisters Portions, and for making a Provision for his Widow and Child.*
29. *An Act for annexing the late Duke of Shrewsbury's Estate to the Earldom of Shrewsbury, and confirming Gilbert Earl of Shrewsbury's Settlement in order thereto, and for other Purposes therein mentioned.*
30. *An Act for exchanging of several small Parcels of Land in the Parish and Manor of Fulham, belonging to the Bishoprick of London, for other Lands of greater Value, to Charles Earl of Peterborough and Monmouth, and his Heirs.*
31. *An Act to enable any Corporations within the University of Cambridge, or any other Persons, to sell and convey any Messuages and Ground to the said University, for enlarging their publick Library.*
32. *An Act for rebuilding the Parish-Church of Saint Martin in the Fields in the City of Westminster, at the Charge of the Inhabitants of the said Parish.*
33. *An Act for Sale of Part of the Estate of Sir Coppleston Warwick Bampfylde Baronet, and for settling another Estate of greater Value to the same Uses.*

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34. *An Act to enable Sir James Lumley Baronet, to settle a competent Jointure, and for other Purposes therein mentioned.*
 35. *An Act for naturalizing Philip Germain and George Hollmans.*
 36. *An Act for naturalizing George Angell.*
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Publick Acts.

Anno 7 Georgii.

1. **A**N Act for restraining the Sub-Governor, Deputy-Governor, Directors, Treasurer or Cashire, Deputy-Cashire, and Accountant of the South-Sea Company, from going out of this Kingdom for the Space of One Year, and until the End of the then next Session of Parliament; and for discovering their Estates and Effects; and for preventing the Transporting or Alienating the same. *South-Sea Company, Par. LXX.*
2. *An Act to disable the present Sub-Governor, Deputy-Governor, and Directors of the South-Sea Company, at, from and after the respective Times for electing a Sub-Governor, Deputy-Governor, and new Directors of the said Company, to take, hold, or enjoy any Office, Place or Employment in the said Company, or in the East India Company, or Bank of England, and from Voting upon Elections in the said Company. South-Sea Company, Par. LXXXI.*
3. *An Act for repealing an Act made in the Ninth Year of the Reign of Her late Majesty Queen Anne, Intituled, An Act to oblige Ships coming from Places infected, more effectually to perform their Quarentine; and for preventing the Plague being brought from Foreign Parts into Great Britain, or Ireland, or the Isles of Guernsey, Jersey, Alderney, Sark, or Man; and to hinder the Spreading of Infection. Quarentine, Par. I.*
4. *An Act for granting an Aid to his Majesty by a Land-Tax to be raised in Great Britain, for the Service of the Year One thousand seven hundred twenty-one. Taxes, Par. IX.*
5. *An Act to enable the South-Sea Company to ingraft Part of their Capital Stock and Fund, into the Stock and Fund of the Bank of England, and another Part thereof into the Stock and Fund of the East-India Company; and for giving further Time for Payments to be made by the said South-Sea Company, to the Use of the Publick. South-Sea Company, Par. LXXXIII.*
6. *An Act for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters. Soldiers, Par. II.*

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7. *An Act to preserve and encourage the Woollen and Silk Manufactures of this Kingdom; and for more effectual employing the Poor by prohibiting the Use and Wear of all printed, painted, stained, or died Callicoes, in Apparel, Householdstuff, Furniture, or otherwise, after the Twenty-fifth Day of December, One thousand seven hundred and twenty-two (except as therein is excepted.)* Callico, Par. I.
8. *An Act for enlarging the Time for making the River Kennet navigable from Reading to Newbury in the County of Berks.* Rivers, Par. LXXXVIII.
9. *An Act for the better Preservation of the Harbour of Rye, in the County of Sussex.* Harbours, Par. I.
10. *An Act for making the River Weaver navigable, from Frodsham-Bridge to Winsford-Bridge in the County of Chester.* Rivers, Par. XCI.
11. *An Act for finishing and adorning the New Chapel, called Saint George's Chapel, in Great Yarmouth in the County of Norfolk, and for enlightning the Streets of the said Town, by a Duty or Imposition on Coals, Culm, and Cynders, to be landed and consumed there.* Great Yarmouth.
12. *An Act for employing the Manufacturers, and encouraging the Consumption of Raw Silk and Mohair Yarn, by prohibiting the Wearing of Buttons and Button-holes made of Cloth, Serge, or other Stuffs.* Buttons, &c.
13. *An Act for regulating the Journeymen Taylors within the Weekly Bills of Mortality.* Taylors.
14. *An Act for continuing the Duties granted by several Acts made in the Sixth and Tenth Years of Her late Majesty's Reign, for repairing the Harbour and Key of Watchett in the County of Somerset.* Harbours, Par. V.
15. *An Act for making the Rivers Mercy and Irwell Navigable from Liverpoole to Manchester in the County Palatine of Lancaster.* Rivers, Par. CXXV.
16. *An Act for the better preserving and keeping in Repair the Piers of the Town and Port of Whitby in the County of York; and for explaining and making more effectual the several Acts passed for lengthning and repairing the Piers of Bridlington alias Burlington in the said County.* Harbours, Par. VIII.
17. *An Act for making navigable the River Dane, from Northwich, where it joins the River Weaver, to the falling in of Wheelock Brook; and Wheelock-Brook up to Wheelock-Bridge in the County of Chester.* Rivers, Par. CLIV.
18. *An Act for enlarging the Term granted by an Act passed in the Tenth Year of the Reign of Her late Majesty Queen Anne, Intituled, An Act for repairing the Road from Highgate Gate-House in the County of Middlesex, to Barnet Blockhouse in the County of Hertford; and for repairing the Road leading from the Bear-Inn in Hadley, to the Sign of the Angel in Enfield*

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Enfeild Chase in the said County of Middlesex. Highways, Par. VII.

19. *An Act for continuing an Act made in the Sixth Year of the Reign of her late Majesty Queen Anne, Intituled, An Act for repairing and enlarging the Highways between the Top of Kingsdown-Hill and the City of Bath; and also several Highways leading to and through the said City; and for cleansing, paving, and lightning the Streets, and regulating the Chairmen there; and for explaining and making the said Act more effectual. Bath. Highways, Par. VIII.*
20. *An Act for continuing the Duties on Malt, Mum, Cyder and Perry, to raise Money by Way of a Lottery, for the Service of the Year One thousand seven hundred twenty-one; and for transferring the Deficiency of a late Malt-Act to the Land-Tax for the said Year; and for disposing certain Overplus Money to proper Objects of Charity; and for giving further Time to Clerks and Apprentices to pay Duties omitted to be paid for their Indentures and Contracts; and touching small Quantities of Cyder exported; and for Relief of Captain John Perry concerning Dagenham Breach; and touching lost Bills, Tickets, or Orders; and concerning the Duty of small Pieces of Plate; and to enable the Undertakers for raising Thames Water in York-Buildings to sell Annuities by way of a Lottery; and for satisfying a Debt, which was charged on the late Duty on Hops; and for appropriating the Monies granted in this Session of Parliament. Annuities, Par. XXI. Apprentices, Par. II. Dagenham Breach. Exchequer-Bills, Par. LXI. Excise, Par. III. Lottery, Par. I. Plate, Par. XXIV. Taxes, Par. X. Trade, &c. Par. XVI.*
21. *An Act for the further preventing his Majesty's Subjects from trading to the East-Indies under Foreign Commissions; and for encouraging and further securing the lawful Trade thereto; and for further regulating the Pilots of Dover, Deal, and the Isle of Thanet. Ships, Par. I. Trade, &c. Par. XVII.*
22. *An Act for enabling Charles Earl of Arran to purchase the Forfeited Estate of James Butler, late Duke of Ormonde; and for granting Relief to William late Lord Widdrington; and for enlarging the Time for determining Claims upon the Forfeited Estates; and for enabling the Commissioners for the said Forfeited Estates to certify into the Exchequer, all such Estates as they have found to be given to popish or superstitious Uses. Treason, &c. Par. XIV.*
23. *An Act for repairing the several Roads leading from the Town of Ledbury in the County of Hereford, to the several Places therein mentioned. Highways, Par. IX.*
24. *An Act for repairing the Road from Wendover to the Town of Buckingham in the County of Bucks. Highways, Par. X.*

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25. *An Act for laying a Duty of Two Pennies Scots, or One sixth Part of a Penny Sterling, upon every Scots Pint of Ale or Beer that shall be brewed for Sale, vended or tapped within the Town of Jedburgh, and Privileges thereof, for paying the Publick Debts of the said Town, and for supplying the same with Fresh Water, and for other Purposes therein mentioned.* **Scotsland, Par. LVIII.**
26. *An Act for repairing the Road from Saint Giles's Pound, to Kilbourne Bridge, in the County of Middlesex.* **Highways, Par. XI.**
27. *An Act for raising a Sum not exceeding Five hundred thousand Pounds, by charging Annuities at the Rate of Five Pounds per Centum per Annum upon the Civil List Revenues till redeemed by the Crown; and for enabling his Majesty, his Heirs or Successors, (by causing such a Deduction to be made as therein is mentioned) to make good to the Civil List the Payments which shall have been made upon the said Annuities; and for borrowing Money upon certain Lottery-Tickets; and for discharging the Corporations for Assurances of Part of the Money which they were obliged to pay to his Majesty; and for making good a Deficiency to the East-India Company. Annuities, Par. XXII. Assurances Corporations, Par. XIX. Lottery, Par. XXVI. Taxes, Par. XXII.*
28. *An Act for raising Money upon the Estates of the late Sub-Governor, Deputy-Governor, Directors, Cashire, Deputy-Cashire and Accountant of the South-Sea Company, and of John Aislaby Esq; and likewise of James Craggs senior Esq; deceased, towards making good the great Loss and Damage sustained by the said Company; and for disabling such of the said Persons as are living, to hold any Office or Place of Trust under the Crown, or to sit or vote in Parliament for the future; and for other Purposes in the said Act expressed.* **South-Sea Company, Par. CXXI.**
29. *An Act for the King's most Gracious, General and Free Pardon.* **Pardon.**
30. *An Act for appointing Commissioners to examine, state, and determine the Debts due to the Army.* **Accounts, Par. XVII.**
30. *An Act for explaining and making more effectual the several Acts concerning Bankrupts.* **Bankrupt, Par. II.**
32. *An Act to explain and amend the Act of the Twelfth Year of her late Majesty's Reign, Intituled, An Act for repairing the Highway or Road from the Stones-End in the Parish of St. Leonard Shoreditch in the County of Middlesex, to the furthestmost Part of the Northern Road in the Parish of Enfield in the same County, next to the Parish of Cheshunt in the County of Hertford.* **Highways, Par. XII.**

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Private Acts.

1. **A**N *Act* for naturalizing John Robethon, and George Robethon his Son.
2. *An Act* to naturalize Joachim Peterssen, Henry Muilman, Benedict Coep, and John Henry Ott.
3. *An Act* to enclose the common Field of Lighthorne, and a Common called Lighthorne-Heath, in the County of Warwick.
4. *An Act* for draining, improving, and inclosing the Common called Stokesby-Common in the Parish of Stokesby in the County of Norfolk.
5. *An Act* to enable the Right Honourable Heneage Earl of Aylesford, to sell certain Estates of Leasehold and Inheritance in the County of Kent, comprized in his Marriage-Settlement; and to purchase another Estate in the County of Leicester of better Value, to be settled to the same Uses.
6. *An Act* for the Naturalization of Isabella Countess of Denbigh, Wife of William Earl of Denbigh.
7. *An Act* for naturalizing John Hartcup.
8. *An Act* for naturalizing Gilbert de Flines, Christian Frederick Zincke, and others.
9. *An Act* to enable the Right Honourable Thomas Lord Parker Baron of Macclesfield, Lord High Chancellor of Great Britain, John Sutton Clerk, Edward Ayres and Sarah his Wife, and Matthew Hawes and Sarah his Wife, for and on the behalf of themselves, and of their Infant Children, to make several Exchanges of Lands and Tenements, and to perform several Agreements touching the same.
10. *An Act* to vest the Fee and Inheritance of divers Messuages, Lands, and Hereditaments of William late Marquis of Halifax in Trustees, to be sold together with a Term of Five hundred Years by him devised to his Executors in Trust, for the better Performance of his Will.
11. *An Act* for Settling the Estates of Richard late Earl Rivers deceased, pursuant to an Agreement made between Frederick Earl of Rochford and Bessy Countess of Rochford his Wife, James Barry Earl of Barrymore in the Kingdom of Ireland, and Lady Penelope Barry his Daughter, and John now Earl Rivers, subject to the Payment of the Debts and Legacies of the said late Earl Rivers, remaining unpaid; and for other Purposes in the said *Act* mentioned.
12. *An Act* for Sale of Part of the Estate of the Right Honourable Robert Lord Romney in the County of Norfolk, and for settling other Lands of greater Value in the County of Kent, already purchased, to the same Uses.

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13. *An Act to enable any Corporations within the University of Oxford, or any other Persons, to sell and convey any Messuages and Ground within the said University, for Building a Library, pursuant to the Will of John Radcliffe, Doctor in Physick; and for empowering any Colleges in the said University, to sell or convey any Ground or Houses to each other, for the Purposes therein mentioned.*
14. *An Act to vest the Estate of Sir Charles Carteret Bart deceased, in Trustees, for Payment of his Debts, and for settling the Remainder to the same Uses in his Will.*
15. *An Act to enable his Majesty to grant the Inheritance of certain Estates therein mentioned, held by Lease from the Crown, which have been long in the Family of Sir William Pulteney deceased, in which more than one hundred Years are yet to come, to Trustees, upon a full Consideration to be paid for the same, as shall be valued by proper Officers of the Crown, to the End the same may be settled according to the Uses directed in the Will of the said Sir William Pulteney.*
16. *An Act for Vesting in Trustees a Moiety of divers Manors and Lands in Essex, belonging to Thomas Pagett Esq; and Mary his Wife, to enable them to convey the same according to Articles for Sale thereof.*
17. *An Act to enable Herbert Perrot Pakington Esq; only Son of Sir John Pakington Baronet, to acknowledge Fines, and suffer Recoveries, while he is under the Age of One and twenty Years.*
18. *An Act for Vesting certain Lands and Tenements in the County of Gloucester, the Estate of Henry Harrington Gent. in Trustees, to be sold, and with the Money arising thereby to purchase other Lands of greater Yearly Value, to be settled to the same Uses as the Estate to be sold is settled, and for other Purposes therein mentioned.*
19. *An Act to enable Harry Bridges Esq; to sell the Manors of Illebrewers in the County of Somerset, for Payment of his Daughter's Portion, and Legacies charged thereupon.*
20. *An Act for discharging certain Estates in the Counties of Norfolk and Suffolk, of and from the Uses and Limitations contained in the Marriage-Settlement of Thomas de Grey Esq; and for settling other Estates in the said Counties to the same Uses.*
21. *An Act to enable James Clavering junior Esq; to make Sale of his Estate at Tanfield in the County of Durham, freed from the Uses and Trusts in the said James Clavering's Marriage-Settlement, and to settle his Estate at Hall-Hill in the said County, to the same Uses.*
22. *An Act for vesting the Manors of Burnells alias Riston, and certain Lands in Norfolk, Part the Estate of Jonas Rolfe Gent. and Lucy his Wife, in Trustees, to be sold for discharging the*

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the Incumbrances thereon, and for other Purposes therein mentioned.

23. *An Act to enable Robert Paynter Esq; to sell the Manors of Twydal and East-Court in the County of Kent; and to settle other Lands of greater Value to the same or the like Uses.*
24. *An Act for Sale of the Estate of John late Earl of Kildare deceased, in the County of Limerick within the Kingdom of Ireland, for Payment of the Charges and Incumbrances thereon, and for other Purposes therein mentioned.*
25. *An Act for Discharging Part of the Estate of Richard Cambridge Esq; in the County of Gloucester, from the Uses and Limitations contained in his Marriage-Settlement; and for settling another Estate in the same County of better Value to the same Uses.*
26. *An Act for inclosing the Heath or Common called Broad-Heath in the Parishes of Ellen-hall, Seighford, and Ronton, in the County of Stafford.*
27. *An Act for naturalizing James Masse and Jacob Stolck.*
28. *An Act for naturalizing John de Neufuille.*
29. *An Act for confirming the Manor of Latham, and divers Lands in the County of Lancaster, to Richard Waring, Bryan Fairfax, and Thomas Ashurst Esqrs; and their Heirs, subject to the Trusts to which the same are now liable, and discharged of a certain Clause in Letters Patents of King Charles the First, for reconveying the Reversion in Fee to the Crown.*
30. *An Act for vesting Part of the Estate late of Anthony Lechmere Esq; deceased, in Trustees, to be sold for Payment of his Debts.*
31. *An Act for Sale of the Estate of the Manor of Radwell, and other the Estate of Robert Bell Esq; and Richard Bell his Son, in Radwell and Norton in the County of Hertford; and for purchasing other Lands to be settled to the same Uses.*
32. *An Act for Sale of the Estate late of Richard Gwynn Gent. in the County of Brecon, for Payment of Debts, and for the settling an Estate in the County of Carmarthen, to certain Purposes therein mentioned.*
33. *An Act for Sale of Part of the Estate of Edward Nedham Gent. in the County of Leicester, for Payment of Debts charged thereupon; and for other Purposes therein mentioned.*
34. *An Act for naturalizing John Frederick Jales.*

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Publick Act.

Anno 7 Georgii, Sess. 2.

AN Act for making several Provisions to restore the Publick Credit, which suffers by the Frauds and Mismanagements of the late Directors of the South-Sea Company, and others. South-Sea Company, Par. CLXXXIII.

Private Act.

AN Act for naturalizing James Lostau.

Publick Acts.

Anno 8 Georgii.

1. **A**N Act for granting an Aid to his Majesty by a Land-Tax to be raised in Great Britain, for the Service of the Year One thousand seven hundred twenty-two. Taxes, Par. XXIII.
2. An Act for continuing the Duties on Malt, Mum, Cyder, and Perry, to raise Money by way of a Lottery, for the Service of the Year One thousand seven hundred twenty-two; and for transferring the Deficiencies of a late Malt-Act to the Land-Tax for the said Year; and for giving Time for inserting the Money given with Apprentices in their Indentures; and touching lost Bills, Tickets, or Orders; and for exchanging the Tickets in the Exchequer for Certificates; and for suppressing Lotteries, Denominated Sales, and other Private Lotteries; and for enlarging the Time for the Accountant General of the Bank of England to return Duplicates of Annuities into the Exchequer. Annuities, Par. XLVI. Apprentices, Par. III. Exchequer-Bills, Par. LXII. Excise, Par. V. Lottery, Par. XXVII. Taxes, Par. XXIV.
3. An Act for the Punishing Mutiny and Desertion; and for the better Payment of the Army and their Quarters. Soldiers, Par. III.
4. An Act for taking off the Duty upon all Salt used in the Curing of Red Herrings, and laying a proportionable Duty upon all Red Herrings consumed at Home only; and for ascertaining the Customs and Excise payable for the Sugar-Houses in Scotland; and for making an Allowance for Salt lost in any Harbour or River of this Realm;

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- Realm; and for the better securing the Duties on Salt delivered in Scotland. Fish, &c. Par. I. Salt, Par. II. Scotland, Par. LXXXVI.*
5. *An Act to explain and amend the Act passed in the Third Year of his present Majesty's Reign, for repairing the Highway from several Places therein mentioned, leading towards Higate Gate-House and Hampstead, in the County of Middlesex. Highways, Par. XIII.*
 6. *An Act for granting the People called Quakers, such Forms of Affirmation or Declaration, as may remove the Difficulties which many of them lie under. Quakers.*
 7. *An Act for laying a Duty of Two Pennies Scots, or One sixth Part of a Penny Sterling, upon every Scots Pint of Ale or Beer that shall be brewed for Sale, vended, or tapped within the Town of Elgine, and Privileges thereof, for paying the publick Debts of the said Town, and for other the Purposes therein mentioned. Scotland, Par. LV.*
 8. *An Act. to enable his Majesty effectually to prohibit Commerce (for the Space of One Year) with any Country that is or shall be infected with the Plague; and for shortning the Continuance of an Act passed in the Seventh Year of his Majesty's Reign, Intituled, An Act for repealing an Act made in the Ninth Year of her late Majesty Queen Anne, Intituled, An Act to oblige Ships coming from Places infected, more effectually to perform their Quarentine; and for the better preventing the Plague being brought from Foreign Parts into Great Britain or Ireland, or Isles of Guernsey, Jersey, Alderney, Sark or Man; and to hinder the Spreading of Infection. Quarentine, Par. XXVII.*
 9. *An Act for continuing an Act passed in the Tenth Year of the Reign of her late Majesty, Intituled, An Act for repairing the Highway between a certain Place called Kilburn-Bridge in the County of Middlesex, and Sparrows-Herne in the County of Hertford; and for making the said Act more effectual. Highways, Par. XIV.*
 10. *An Act for repealing such Clauses in the Act passed in the Seventh Year of his Majesty's Reign (relating to Quarentine and the Plague) as give Power to remove Persons from their Habitations, or to make Lines about Places infected. Quarentine, Par. XXXIII.*
 11. *An Act for restoring and rebuilding the Haven and Piers of Bridport, in the County of Dorset; and for making a Sluce there. Harbours, Par. XXX.*
 12. *An Act giving further Encouragement for the Importation of Naval Stores; and for other Purposes therein mentioned. Naval Stores, Par. I. Trade, &c. Par. XXX.*

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13. *An Act for the amending the Highways leading from Brampton-Bridge near Church-Brampton in the County of Northampton, through the Parish of Thornby, to a Bridge called Welford-Bridge in the Parish of Welford in the said County; and also the great Post-Road from a Place called Morter-Pit-Hill in the Parish of Pisford in the said County, through the Towns and Parishes of Brixworth, Lamport, Maidwell, Kelmarsh, and Oxenden Magna, to a Bridge called Chain-Bridge, leading into Market Harborough in the County of Leicester.* Highways, Par. XV.
14. *An Act for making the River Eden navigable to Bank-End in the County of Cumberland.* Rivers, Par. CLXXXIV.
15. *An Act for Encouragement of the Silk Manufactures of this Kingdom; and for taking off several Duties on Merchandizes exported; and for reducing the Duties upon Beaver-Skins, Pepper, Mace, Cloves, and Nutmegs imported; and for Importation of all Furs of the Product of the British Plantations, into this Kingdom only; and that the Two Corporations of Assurance, on any Suits brought on their Policies, shall be liable only to single Damages and Costs of Suit.* Assurance Corporations, Par. XX. Beaver-Skins. Customs, Par. XII. Drugs, &c. Silk, Par. I. Spices, Par. IV.
16. *An Act for taking off the Duty upon all Salt used in the Curing and Making of White Herrings, and instead thereof laying a proportionable Duty upon all White Herrings consumed at Home only; and for making an Allowance for Tobacco exported from Scotland, in the Time therein mentioned; and for giving farther Relief to the Refiners of Rock Salt.* Fish, &c. Par. VI. Salt, Par. V. Tobacco, Par. IV.
17. *An Act for more equal paying and better collecting certain small Sums therein mentioned, for Relief of Shipwrecked Mariners, and Distressed Persons (His Majesty's Subjects) in the Kingdom of Portugal; and for other pious and charitable Purposes usually contributed to by the Merchants trading to Portugal.* Trade, &c. Par. XXXI.
18. *An Act to prevent the clandestine Running of Goods, and the Danger of Infection thereby; and to prevent Ships breaking their Quarantine; and to subject Copper Ore, of the Production of the British Plantations, to such Regulations, as other enumerated Commodities of the like Production are subject.* Brandy, &c. Par. XVII. Copper-Ore. Customs, Par. XV. Quarantine, Par. XXXV. Spices, Par. XI. Mines, Par. VIII.
19. *An Act for the better Recovery of the Penalties inflicted upon Persons who destroy the Game.* Game.
20. *An Act for paying off and cancelling One Million of Exchequer-Bills, and to give Ease to the South-Sea Company, in respect of its present Obligation to circulate or contribute towards circulating*
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lating Exchequer-Bills; and to give further Time to that Company for Repayment of One Million, which was lent to them; and for issuing a further Sum in New Exchequer-Bills, towards his Majesty's Supply, to be discharged and cancelled, when the said Company shall repay the Million owing by them; and that the Exchequer-Bills, which are to continue, may be circulated at easie and moderate Rates; and for appropriating the Supplies granted to his Majesty in this Session of Parliament; and for Relief of the Sufferers at Nevis and Saint Christophers, by an Invasion of the French in the late War; and for laying a further Duty on Apples imported; and for ascertaining the Duties on Pictures imported. Annuities, Par. XLVII. Apples. Exchequer-Bills, Par. LXIII. Pictures. Taxes, Par. XXV.

21. *An Act to enable the South-Sea Company to dispose of the Effects in their Hands by way of Lottery or Subscription, or to sell Part of their Fund or Annuity payable at the Exchequer, in order to pay the Debts of the said Company; and for Relief of such, who were intended to have the Benefit of a late Act touching Payment of Ten per Centum therein mentioned. South-Sea Company, Par. CXCIV.*
22. *An Act to prevent the Mischiefs by forging Powers to transfer such Stocks, or to receive such Annuities or Dividends as are therein mentioned, or by fraudulently Personating the true Owners thereof; and to rectifie the Mistakes of the late Managers for taking Subscriptions for Increasing the Capital Stock of the South-Sea Company, and in the Instruments founded thereupon. South-Sea Company, CCXII.*
23. *An Act for prolonging the Times for hearing and determining Claims before the Trustees, in whom the Estates of the late South-Sea Directors, and of John Aislaby Esq; and likewise of James Craggs Esq; deceased, are vested; and for other Purposes therein mentioned. South-Sea Company, CCXVII.*
24. *An Act for the more effectual suppressing of Piracy. Piracy.*
25. *An Act for supplying some Defects in the Statute of the Twenty-third of King Henry the Eighth [Intituled, An Act for Obligations to be taken by Two Chief Justices, the Mayor of the Staple, and the Recorder of London] and for setting down the Time of signing Judgments in the Principality of Wales, and Counties Palatine. Recognizance. Wales, &c.*
26. *An Act for better supplying the City and Liberties of Westminster, and Parts adjacent, with Water. Westminster.*
27. *An Act for the better preventing Abuses committed in weighing and packing of Butter in the City of York. York.*
28. *An Act for supplying the Records of the Commissary Court of Aberdeen, burnt or lost in the late Fire there. Scotland, Par. I.*

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29. *An Act for preventing Delays in the Execution of the Trust reposed in the Governors of the Hospital of King James, founded in Charter-house, at the Charges of Thomas Sutton Esq; for the Benefit of the said Hospital. Charter-House.*
30. *An Act for repairing the Highways from the Stones End at Whitechapel Church in the County of Middlesex, to Shenfield, and to the furthestmost Part of the Parish of Woodford, leading to the Town of Epping in the County of Essex. Highways, Par. XVI.*
31. *An Act to vest the Ground, Wharf and Key, called Wool-Key, in the Parish of All Saints Barking, in the City of London, with the Buildings and Warehouses thereupon, in Trustees for His Majesty, his Heirs and Successors for ever, subject to an Agreement made on his Majesty's Behalf with the Wardens and Assistants of the Free School in Sevenoake, in the County of Kent. Wool Key.*

Private Acts.

1. **A** *N Act for naturalizing Detelef Von Thienen, and Melusine Baroness of Schoulenburgh.*
2. *An Act for naturalizing Jeanne Coltee du Carel, and others.*
3. *An Act for naturalizing Auguste Tebuteau, Joseph Murat, and others.*
4. *An Act to vest Two Fourth Parts of a Fee-Farm Rent of Eighty-two Pounds, Eight Shillings, and Two Pence, issuing out of the Manor of Kingswood in the County of Wilts (of which Two Fourth Parts the Lord Viscount Harcourt is seized in Fee) in Trustees, to the like Uses as a Messuage and Lands called Johnson's Farm in the Parishes of Stanton-Harcourt and Southly, or one of them, in the County of Oxon, were devised by Dame Elizabeth Harcourt Widow, deceased, and in lieu thereof for vesting the said Premises, called Johnson's Farm, in the said Lord Viscount Harcourt and his Heirs.*
5. *An Act to enable the Mayor, Burgesses, and Commonalty of the City of Bristol, to build an Exchange there for the Convenience of the Merchants and Traders of that City.*
6. *An Act for Sale of Part of Sir John Wentworth's Estate, towards raising Part of the Sum of Ten thousand Pounds for the Purposes therein mentioned.*
7. *An Act for vesting Part of the Estate of Sir Ralph Milbanke, Bart. in Trustees, to be sold for Performing his Father's Will, and an Agreement made with his Brother and Sisters.*
8. *An Act for uniting and consolidating the Parish-Churches of Strypud, alias Steeple, and Tyneham, within the Isle of Purbeck, in the County of Dorset.*

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9. *An Act to enable Elizabeth and Margaret Newton, Infants, during their Minority (with Consent of Trustees) to grant and fill up Leases of Part of the Estate late of John Newton Esq; their Father, deceased.*
10. *An Act for vesting the Estate late of James Price of Pilleth in the County of Radnor Esq; deceased, in Trustees, to be sold for Payment of several Portions, and Legacies charged thereon.*
11. *An Act to empower the Commissioners and Trustees for the forfeited Estates, to give such Relief to Hugh Wallace of Inglestoun Esq; and Hugh Wallace his Son, in Relation to their Part in an heritable Bond and Enfeoffment upon the Estate of James late Earl of Linlithgow, attainted of High Treason, as they have given to other Claimants upon the said Bond.*
12. *An Act for naturalizing Samuel Palmer.*
13. *An Act for naturalizing Lucas Steinman, Paul Kruger, and Henry Boon.*
14. *An Act for naturalizing Christopher Schele.*
15. *An Act to explain and amend an Act made in the Second Year of the Reign of her late Majesty Queen Anne, Intituled, An Act for Sale of Part of the Estate of Henry Lord Viscount Dillon, in the Kingdom of Ireland, and for settling an Equivalent in other Part of his Estate on the Viscountess his Wife, for her Jointure; and to make a Provision for Bridget Viscountess Dillon, Wife of Richard now Lord Viscount Dillon.*
16. *An Act for inclosing Glastonbury Commons, in the County of Somerset.*
17. *An Act for vesting in Trustees the Reversion, Freehold and Inheritance of Part of the Estate late of Sir William Davie Bart. deceased, (expectant on a Term of Five hundred Years) to be sold for Payment of his Daughters Portions, and Legacies.*
18. *An Act to enable his Majesty to make such Provisions, as is therein mentioned, for the Children of James Macdonald deceased, out of the Estate of the late Sir Donald Macdonald their Uncle, which was forfeited to his Majesty for High Treason.*
19. *An Act for naturalizing Agatha Drummond.*
20. *An Act for naturalizing James Girardot, and Paul Amfink.*
21. *An Act to naturalize John Blydesteyn.*

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Publick Acts.

Anno 9 Georgii.

1. **A**N Act to impower his Majesty to secure and detain such Persons, as his Majesty shall suspect are conspiring against his Person and Government. *Treason, &c.* Par. XXXIII.
2. An Act for granting an Aid to his Majesty by a Land-Tax to be raised in Great Britain, for the Service of the Year One thousand seven hundred twenty three *Exchequer-Bills*, Par. LXXXV. *Taxes*, XXXVI.
3. An Act for continuing the Duties on Malt, Mum, Cyder, and Perry, to raise Money by way of a Lottery, for the Service of the Year One thousand seven hundred twenty-three. *Excise*, Par. VI. *Lottery*, Par. XXXIV. *Malt*, Par. X.
4. An Act for punishing Mutiny and Desertion; and for the better Payment of the Army, and their Quarters. *Soldiers*, Par. IV.
5. An Act for redeeming certain Annuities, now payable by the Cashire of the Bank of England, at the Rate of Five Pounds per Centum per Annum. *Accounts*, Par. XXVI. *Annuities*, Par. L. *Taxes*, Par. XXXVI.
6. An Act for reviving and adding Two Millions to the Capital Stock of the South-Sea Company, and for reviving a proportional Part of the yearly Fund payable at the Exchequer, and for dividing their whole Capital (after such Division made) into Two equal Parts or Moieties, and for converting One of the said Moieties into certain Annuities, for the Benefit of the Members, and for settling the remaining Moiety in the said Company; and for continuing for One Year longer the Provision formerly made against requiring Special Bail in Actions or Suits upon such Contracts, as are therein mentioned. *South-Sea Company*, Par. CCXXIV.
7. An Act for amending the Laws relating to the Settlement, Imployment, and Relief of the Poor. *Justices of the Peace*. *1002*.
8. An Act for continuing some Laws, and reviving others therein mentioned, for exempting Apothecaries from serving Parish and Ward Offices, and upon Furies, and relating to Furors; and to the Payment of Seamen's Wages, and the Preservation of Naval Stores, and Stores of War; and concerning the Militia, and Trophy-Money; and against clandestine running of uncushtomed Goods, and for more effectual preventing Frauds relating to the Customs, and Frauds in mixing Silk with Stuffs to be exported. *Apothecaries*. *Customs*,

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- Customs, Par. XXX. Jurozs. &c. Militia. Rabal Stores, Par. VI. Silk, Par. IX.**
9. *An Act for the better qualifying the Manufacturers of Stuffs and Yarn in the City of Norwich, and Liberties thereof, to bear Offices of Magistracy in the said City, and for regulating Elections of such Officers. Norwich.*
 10. *An Act for cleaving, depthning, repairing, extending, maintaining, and improving the Haven and Piers of Great Yarmouth, and for depthning and making more navigable the several Rivers emptying themselves at the said Town; and also for preserving Ships, wintering in the said Haven, from Accidents by Fire. Harbours, Par. XXXIX.*
 11. *An Act for repairing and widening the Road leading from the Black-Bull in Dunstable in the County of Bedford, to the Way turning out of the said Road up to Shafford-House in the County of Hertford. Highways, Par. XVII.*
 12. *An Act for the more easie assigning or transferring certain redeemable Annuities, payable at the Exchequer, by Endorsements on the standing Orders for the same. Annuities, Par. LXIV.*
 13. *An Act for the enlarging the Term granted by an Act, passed in the Eighth Year of the Reign of her late Majesty Queen Anne, [Intituled, An Act for repairing the Highways, between the House commonly called the Horseshoe-House, in the Parish of Stoke-Godlington in the County of Bucks, and the Town of Northampton; and for repairing the Road from the North-Bridge of Newport-Pagnel in the County of Bucks, to the said Horseshoe-House.] Highways, Par. XVIII.*
 14. *An Act for enlarging the Term granted by an Act made in the Third Year of his Majesty's Reign (for continuing the Duty of Two Pennies Scots upon every Pint of Ale and Beer sold in the City of Edinburgh, for the Purposes therein mentioned; and for discontinuing Payment of the Petty-Port Customs there) and for making the said Act more effectual. Scotland, Par. XV.*
 15. *An Act to inflict Pains and Penalties on John Plunket. Pains and Penalties, Par. I.*
 16. *An Act to inflict Pains and Penalties on George Kelly, alias Johnson. Pains and Penalties, Par. III.*
 17. *An Act to inflict Pains and Penalties on Francis Lord Bishop of Rochester. Pains and Penalties, Par. IV.*
 18. *An Act for granting an Aid to his Majesty by laying a Tax upon Papists, and for making such other Persons, as upon due Summons shall refuse or neglect to take the Oaths therein mentioned, to contribute towards the said Tax for reimbursing to the Publick Part of the great Expenses occasioned by the late Conspiracies;*

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racies; and for discharging the Estates of Papists from the Two Third Parts of the Rents and Profits thereof for One Year, and all Arrears of the same, and from such Forfeitures as are therein more particularly described. Papists, &c. Par. I.

19. *An Act to continue the Duties for Incouragement of the Coinage of Monies; and for Relief of William late Lord Widdrington; and to prevent Foreign Lotteries being carried on in this Kingdom; and for ascertaining the Duties on Bound Books imported; and for issuing Certificates and Debentures for Arrears due to Five Regiments, to be satisfied by Annuities therein mentioned: and for discharging the Duties of Rock-Salt lost on the Rivers Weaver and Mercy; and for limiting the Times of Continuance of Commissioners for forfeited Estates in England and Scotland respectively; and for appropriating the Supplies granted to his Majesty in this Session of Parliament; and to rectifie Misnomers and Omissions of Commissioners for the Land-Tax in the Year One thousand seven hundred and twenty-three. Accounts, Par. XXVIII. Books. Coin, &c. Par. I. Lottery, Par. XXXV. Salt, Par. VI. Treason, &c. Par. XXXVII. Taxes, Par. XLIV.*

20. *An Act for laying a Duty of Two Pennies Scots, or one Sixth Part of a Penny Sterling, upon every Scots Pint of Ale and Beer brewed and sold within the Town of Linlithgow, and Liberties thereof, in the County of West-Lothain, for paying the Debts of the said Town, and other Purposes therein mentioned. Scotland, Par. LIX.*

21. *An Act for enabling his Majesty to put the Customs of Great Britain under the Management of One or more Commissions, and for better securing and ascertaining the Duties on Tobacco, and to prevent Frauds in exporting Tobacco, and other Goods and Merchandizes, or carrying the same Coastwise. Customs, Par. XXXI. Tobacco, Par. V.*

22. *An Act for the more effectual punishing wicked and evil-disposed Persons going armed in Disguise, and doing Injuries and Violences to the Persons and Properties of his Majesty's Subjects, and for the more speedy bringing the Offenders to Justice. Deers Stealers.*

23. *An Act for further enlarging the Times for extring, bearing, and determining Claims on the Estates vested in the Trustees of the South-Sea Company, and for obliging Persons to claim Stock by the Time therein mentioned for Money Subscriptions, and for other the Purposes therein mentioned. South-Sea Company, Par. CCXLV.*

24. *An Act to oblige all Persons, being Papists, in that Part of Great Britain called Scotland, and all Persons in Great Britain, refusing or neglecting to take the Oaths appointed for the Security of his Majesty's Person and Government, by several Acts*

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- herein mentioned, to register their Names and real Estates
Papists, &c. Par. XXV. Scotland, Par. LXI.
25. An Act for making more effectual an Act passed in the Eighth
Year of his present Majesty's Reign, [Intituled, An Act for sup-
plying the Records of the Commissary Court of Aber-
deen, burnt or lost in the late Fire there.] Scotland,
Par. VII.
26. An Act to prevent his Majesty's Subjects from subscribing or
being concerned in encouraging or promoting any Subscription for an
East-India Company in the Austrian Netherlands; and for the
better securing the lawful Trade of his Majesty's Subjects to and
from the East-Indies. Trade, &c. Par. XXXVIII.
27. An Act for preventing Journeymen Shoemakers selling, ex-
changing, or pawning Boots, Shoes, Slippers, cut Leather, or
other Materials for making Boots, Shoes, or Slippers, and for
better regulating the said Journeymen. Shoemakers.
28. An Act for more effectual Execution of Justice in a pretended
Privileged Place in the Parish of St. George in the County of
Surrey, commonly called the Mint; and for bringing to speedy
and exemplary Justice such Offenders as are therein mentioned;
and for giving Relief to such Persons as are proper Objects of
Charity and Compassion there. Pretended Privileged
Places.
29. An Act to enable Lords of Manors more easily to recover their
Fines, and to exempt Infants and Females Covert from Forfeitures of
their Copyhold Estates in particular Cases. Copyholds.
30. An Act for completing the Repairs of the Harbour of Dover, in
the County of Kent; and for restoring the Harbour of Rye, in
the County of Sussex, to its Ancient Goodness. Harbours, Par.
LVIII.
31. An Act for repairing the Highways from the City of Glouce-
ster to the Top of Birdlip-Hill, (being the Road to London)
and from the Foot of the said Hill to the Top of Crickley-Hill,
(being the Road to Oxford) and to oblige those concerned in the
Receipt or Payment of any Monies, by Virtue of an Act of the
Ninth and Tenth Years of his late Majesty King William,
touching the repairing the said Highways, to account for the
same to the Trustees appointed by this Act. Highways, Par.
XIX.
32. An Act for confirming Articles of Agreement between the Prin-
cipal Officers of the Ordnance, and Thomas Miffing Esq; for
Exchange of some Lands at Portsmouth for the Service of his
Majesty. Portsmouth.

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Private Acts.

1. **A**N ACT to enable Darcy Dawes Esq; and Sarah Roundell, to make Settlements upon their Intermarriage of their several Estates, notwithstanding their respective Minorities.
2. An ACT for naturalizing Luder Mello, Benjamin Berkenhout, and others.
3. An ACT for naturalizing John Anthony Loubier, Henry Loubier, and others.
4. An ACT to enable William Sheppard to change his Surname of Sheppard to Hall, according to the Will of William Hall, Sergeant at Law, deceased.
5. An ACT to enable Timothy Watts of Burbage in the County of Leicester Esq; and his Heirs, to change or alter their Names to Saint Nicholas, according to the Will of Bazil Saint Nicholas of Knowle in the County of Warwick Esq; deceased.
6. An ACT to enable John Smith Gent. and his Heirs, to take and use the Surname of Dickenson, according to the Will of John Dickenson Gent. deceased.
7. An ACT to vest in Trustees for William Lounds Esq; the Reversion in Fee, expectant upon a Term of Fourscore and nineteen Years now in Being, of and in certain Pieces of Ground and Building thereupon, in the Parish of St. James within the Liberty of Westminster, and of and in a certain Messuage and Land at or near Knightsbridge, upon paying the Value thereof into the Exchequer.
8. An ACT to confirm certain Exchanges, Conveyances, and other Assurances, made by John Jenyns, Esq; and others, of some Parts of the Estates comprized in the Articles and Settlement made on his Marriage with Dorothy his late Wife, and to supply some Defects in the said Articles and Settlement; and to enable him to make a Settlement on any future Marriage.
9. An ACT for vesting in Trustees the Estates of George Bennet Gent. and of Henry Bennet his only Son and Heir, in the County of Devon, to be sold for the Purposes therein mentioned.
10. An ACT to naturalize Elizabeth Burr, and others.
11. An ACT to naturalize John Berkenhout and Jacob Hansen Busk.
12. An ACT for completing the Sale of the Manors of Croxton, alias Croxden, and Great Yate, and other Lands and Tenements, late the Estate of the most Noble Evelyn Duke of Kingston (Lord Privy Seal) in the County of Stafford; and ascertaining and augmenting the Stipend of the Minister of Croxton
aforesaid,

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aforesaid, out of the said Estate, and for charging one Annuity given to the Poor of Croxton aforesaid, wholly upon the said Estate, and discharging the same Estate from other Annuities given to the Minister and Poor of Tong in the County of Salop, by a Deed and Will of Gervas Lord Pierrepont, deceased, and thereby charged upon his Estate in the Counties of Salop and Stafford.

13. *An Act for confirming and establishing Articles of Agreement, between the most noble John Duke of Montagu and William Duke of Manchester, and others, upon a Marriage intended between the said Duke of Manchester and the Lady Isabella, eldest Daughter of the said Duke of Montagu.*
14. *An Act for the vesting several Woods, Lands and Coppices in Stanierne and Geddington in the County of Northampton, and belonging to the Right Honourable George Earl of Cardigan, in the most noble John Duke of Montagu, and his Heirs; and for vesting and settling other Woods, Lands and Coppices, lying in the Parishes of Oakley Parva and Stanierne in the said County of Northampton, in and upon the said George Earl of Cardigan, with Remainders over, and in the Manner herein mentioned.*
15. *An Act to enable Richard Edgcombe Esq; to sell Lands, not exceeding Twenty Acres, to and for the Use of his Majesty, for Building a Victualling Office for the Service of the Royal Navy at Plymouth; and to purchase other Lands to be settled to the same Uses, as the Lands to be sold now stand limited by his Marriage-Settlement.*
16. *An Act to enable Trustees, with the Consent of Mary the Wife of Thomas Horton Esq; a Lunatick, to execute the Powers in the Marriage-Settlement of the said Lunatick, for raising any Sum, not exceeding Three thousand Pounds, for Elizabeth Horton, and Eleanor Horton his Daughters, and for other Purposes herein mentioned.*
17. *An Act for vesting certain Lands, Tenements, and Hereditaments of Richard Somers Esq; in the County of Kent, in Trustees, to be sold for Payment of a Debt now owing and charged thereon, on Account of his late Brother and Sisters Portions.*
18. *An Act for naturalizing John Baring.*
19. *An Act for vesting Part of the Estate of Richard Clayton Esq; in the County of Salop, in Trustees, to be sold for Payment of his Debts.*
20. *An Act for vesting the Estates of Sir Gervas Clifton Bar. in Trustees, and to enable him to an Estate for Life, by way of Purchase, in Settlements intended to be made of his Estates on the Marriage of Robert Clifton Esq; his Son and Heir Apparent.*

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21. *An Act for vesting Part of the Estate of Sir Richard Anderson Bar. deceased, in Trustees, to be sold for the Payment of his Debts, and for other Purposes therein mentioned.*
 22. *An Act for Sale of the Manor of Queenhill, and other the Lands therein mentioned in the County of Worcester, for raising Monies for and towards Payment of the Debts of William Gower Esq; and of John Gower his Son, deceased; and for discharging the said Manor and Lands of and from the same.*
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Publick Acts.

Anno 10 Georgii.

1. **A** *N Act for granting an Aid to his Majesty by a Land-Tax in Great Britain, to be raised for the Service of the Year One thousand seven hundred twenty-four. Taxes, Par. XLVIII.*
2. *An Act for continuing the Duties on Malt, Mum, Cyder, and Perry, to raise Money by way of a Lottery, for the Service of the Year One thousand seven hundred twenty-four; and touching lost Bills, Tickets, Certificates, or Orders; and for giving further Time for Payment of the Duties on Money given with Apprentices; and for appropriating the Supplies granted in this Session of Parliament. Apprentices, Par. IV. Exercise, Par. VII. Lottery, Par. XXXVI. Taxes, Par. L.*
3. *An Act for punishing Mutiny and Desertion; and for the better Payment of the Army, and their Quarters. Soldiers, Par. V.*
4. *An Act for explaining and amending an Act of the last Session of Parliament, Intituled, An Act to oblige all Persons, being Papists, in that Part of Great Britain called Scotland, and all Persons in Great Britain, refusing or neglecting to take the Oaths appointed for the Security of his Majesty's Person and Government, by several Acts herein mentioned, to register their Names and Real Estates; and for enlarging the Time for taking the said Oaths, and making such Registers, and for allowing farther Time for the Enrolment of Deeds or Wills made by Papists, which have been omitted to be enrolled, pursuant to an Act of the third Year of his Majesty's Reign; and also for giving Relief to Protestant Lessees. Papists, &c. Par. XXXIV. Scotland, Par. LXII.*

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The Titles of the Statutes.

5. *An Act for redeeming certain Annuities after the Rate of Five Pounds per Centum per Annum; and for Payment of the Principal and Interest on the standing Orders for the Blank Tickets in the Lottery granted for the Service of the Year One thousand seven hundred and fourteen; and for making good the Loss, which happened in the Treasury of his Majesty's Exchequer, by the Reduction of Guineas; and for granting Relief to Catherine Collingwood Widow. Annuities, Par. LXVIII. Coin, &c. Par. III. Treason, &c. Par. XLIV.*
6. *An Act for enlarging the Term granted by an Act, passed in the third Year of his Majesty's Reign, Intituled, An Act for repairing the Highways, from that Part of Counter's Bridge, which lies in the Parish of Kensington in the County of Middlesex, to the Powder-Mills in the Road to Staines, and to Cranford Bridge in the said County in the Road to Colnebrooke; and for making the said Act more effectual. Highways, Par. XX.*
7. *An Act for making more effectual an Act made in the Ninth Year of his Majesty's Reign [Intituled, An Act for completing the Repairs of the Harbour of Dover, in the County of Kent; and for restoring the Harbour of Rye in the County of Sussex, to its Ancient Goodness] so far as the same relates to the Harbour of Rye. Harbours, Par. LXXIX.*
8. *An Act for reviving an Act passed in the Tenth Year of her late Majesty's Reign, Intituled, An Act to make a Causeway over the Dunes from Great Yarmouth to Caister in the County of Norfolk; and for making the said Act more effectual. Highways, Par. XXI.*
9. *An Act for repairing and amending the Highways from the North Part of Harlow-bush Common, in the Parish of Harlow, to Woodford in the County of Essex. Highways, Par. XXII.*
10. *An Act for repealing certain Duties therein mentioned, payable upon Coffee, Tea, Cocoa-Nuts, Chocolate, and Cocoa-Paste imported; and for granting certain Inland Duties in lieu thereof; and for Prohibiting the Importation of Chocolate ready made, and Cocoa-Paste; and for better ascertaining the Duties payable upon Coffee, Tea, and Cocoa-Nuts imported; and for granting Relief to Robert Dalzell, late Earl of Carnwath. Coffee, &c. Par. I. Treason, &c. Par. XLV.*
11. *An Act to prevent Multiplicity of Prosecutions upon an Act made in the Eleventh and Twelfth Year of the Reign of his late Majesty King William the Third [Intituled, An Act for the more effectual employing the Poor by encouraging the Manufactures of this Kingdom.] Calico, Par. XII.*

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12. *An Act for repairing the Roads leading from Stump-Cross, in the Parish of Chesterford, in the County of Essex, to New-market-Heath, and the Town of Cambridge, in the County of Cambridge. Highways, Par. XXIII.*
13. *An Act for amending the Roads from the Stones-End in Southwark to Highgate, at the Entrance of Ashdown-Forest, in the Parish of East-Grinstead, in the County of Sussex, and from Kingston to Burton-Common, and also the Lane leading from Wood-Hatch to Sidlow-Mill, and the Lanes called Horiehills, Bonehurst, alias Boners, and Peteridge Lanes, in the County of Surry, by enlarging the Terms granted by Two former Acts, One of the Fourth, and the other of the Sixth Year of his Majesty's Reign. Highways, Par. XXIV.*
14. *An Act for enlarging the Times for bearing and determining Claims by the Trustees for raising Money upon the Estates of the late Directors of the South-Sea Company, and others; and for reviving and continuing the Provision formerly made against requiring Special Bail in Actions or Suits upon Contracts for Stock or Subscriptions, between the First Day of December, One thousand seven hundred and nineteen, and the First Day of December, One thousand seven hundred and twenty; and for other Purposes therein mentioned. South-Sea Company, Par. CCLIX.*
15. *An Act for repairing the Road leading from Dunchurch, in the County of Warwick, to the Bottom of Meriden-Hill in the same County. Highways, Par. XXV.*
16. *An Act for encouraging the Greenland Fishery. Fish, &c. Par. X.*
17. *An Act for continuing Acts for preventing Theft and Rapine upon the Northern Borders of England; and for better regulating of Pilots; and for regulating the Price and Assize of Bread; and for better Encouragement of the making of Sail-Cloth in Great Britain. Bread. Robbery, Par. III. Sail-Cloth, Ship, Par. II.*
18. *An Act to explain and amend an Act passed in the Sixth Year of his Majesty's Reign, Intituled, An Act for ascertaining the Breadths, and preventing Frauds and Abuses in manufacturing Serges, Pladdings, and Fingrums, and for regulating the Manufactures of Stockings in that Part of Great Britain called Scotland, so far as the same relates to Serges-Scotland, Par. LXXIV.*
19. *An Act for explaining the Law concerning the Trial and Admission of the Ordinary Lords of Session. Scotland, Par. XIII.*
20. *An Act for the better viewing, searching, and examining all Drugs, Medicines, Waters Oils, Compositions, used or to be used for Medicines, in all Places where the same shall*

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be exposed to sale, or kept for that Purpose, within the City of London and Suburbs thereof, or within Seven Miles Circuit of the said City. Physicians, &c.

Private Acts.

1. **A**N Act for naturalizing of John Herman, Gentleman.
2. An Act for naturalizing William Hodshon, Francis Noguier, and others.
3. An Act for naturalizing John Gerhardt Moller, and James Horner.
4. An Act for completing the rebuilding the Parish-Church of St. Martin in the Fields.
5. An Act for rebuilding the Parish-Church of St. Botolphs Bishopsgate, in the City of London, at the Charge of the Inhabitants of the said Parish.
6. An Act to inclose the Common-Fields and Commons of Sunningwell cum Bayworth, in the County of Berks.
7. An Act for draining, improving, and inclosing the Common called Oxburgh Common in the Parish of Oxburgh, in the County of Norfolk; and for other Purposes therein mentioned.
8. An Act to enable Thomas Duke of Norfolk to make Leases for Sixty Years, of the Houses and Ground in Arundel-street, Norfolk-street, Howard-street, Surrey-street, and other his Tenements and Estate in the Parish of St. Clements Danes in the County of Middlesex.
9. An Act to vest in Trustees the Manors of Battlesden and Portesgrave, and divers Lands and Hereditaments in the County of Bedford, the Estate of Benjamin Bathurst Esq; to the Intent the same may be sold, in order to complete a Purchase by him made of Lands in the County of Gloucester, to be settled to the same Uses.
10. An Act for Sale of the Estate late of Humphry Whadcock deceased, for discharging a Debt due to the Crown, and for Payment of such other his Debts, as his personal Estate will not extend to pay; and for settling the Residue of his Lands conformable to his last Will.
11. An Act for enabling Pelsant Reeves Gentleman, to sell certain Leasehold Lands in Suffolk, settled upon his Marriage, and to purchase other Lands to be settled to the same Uses.
12. An Act for naturalizing Henry Voght, and Sebastianus Van Weenigem de Vyver.
13. An Act for adding the Surname of Tylney to the Descendants of the Right Honourable William Lord Craven and Anne

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- Anne his Wife, sole Daughter and Heir of Frederick Tylney, Esq;
14. *An Act to enable his Majesty to grant the Inheritance of certain Lands and Tenements in or near Deptford, in the County of Kent, to Trustees upon Trust for Sir John Evelyn Bart. and his Heirs, upon a full Consideration to be paid for the same.*
 15. *An Act to enable Sir Geffery Palmer Bart. and Robert Palmer Esq; and the Survivor of them, together with Thomas Palmer Esq; to convey and settle several Manors and Lands in the Counties of Leicester, Northampton, and Lincoln.*
 16. *An Act for allowing to Thomas Pagett Esq; out of Fourteen thousand Pounds, vested in Trustees by an Act of Parliament for Sale of his Wife's Estate, the Sum of Four thousand Pounds, upon the Considerations therein mentioned.*
 17. *An Act to settle the Estate of Sir Henry Atkins Bart. according to the Intention of Articles made before his Marriage with Dame Penelope his Wife, Daughter of Sir John Stonehouse Bart.*
 18. *An Act for explaining the Will of Jacob Knight Esq; deceased, and charging his Fee-Simple Estates with Two thousand Pounds, and Interest, for the Portion of his youngest Son, Charles Knight.*
 19. *An Act for vesting the Manor of Coniston-Cold, in the County of York, and other Lands and Tenements therein mentioned, in Trustees, to be sold for Payment of the Debts of Henry Coulthurst Esq; and for other Purposes therein mentioned.*
 20. *An Act for vesting certain Copyhold Lands in the County of Suffolk, late the Estate of Henry Appleton Esq; deceased, in Trust, to be sold for Payment of his Childrens Portions.*
 21. *An Act for vesting the Estates of Walter Bagenall Esq; and his two Daughters, in the Counties of Dublin and Meath in the Kingdom of Ireland, in Trustees, to be sold for Payment of the Debts charged thereupon, and raising Portions for the said Daughters.*
 22. *An Act to enable John Howe, of Stowell, in the County of Gloucester Esq; to sell the Manor or Lordship of Ellerton, alias Ellerton upon Swale, and all other his Lands and Hereditaments in the County of York, comprized in his Marriage-Settlement, he having settled other Lands and Hereditaments in the County of Gloucester, of greater Value, to the same Uses, in lieu thereof.*
 23. *An Act to enable Hugh Viscount Falmouth, and Richard Edgcombe Esq; to take in Great Britain the Oath of Office as Vice-Treasurer, and Receiver-General, and Paymaster-General of all his Majesty's Revenues in the Kingdom of Ireland,*

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land, and to qualifie themselves for the Enjoyment of the said Offices.

24. *An Act to enable George Dodington Esq; to take in Great Britain the Oaths of Office, as Writer of the Tallies and Counter-Tallies, and Clerk of the Pells in the Receipt of the Exchequer in the Kingdom of Ireland, and to qualifie himself for the Enjoyment of the said Offices.*

25. *An Act to naturalize John Wern.*

26. *An Act to naturalize John Van Rixtell and Ludolf Schaart.*

A N

AN EXACT
ABRIDGMENT

Of all the
STATUTES

In Force and Use,
From the Beginning of the
Sixth, to the End of the Tenth
Year of his present Majesty King
GEORGE.

VOL. VI.

Accounts.

- I. **S** Stat. 6 G. c. 17. Sect. 1. *Herbert Rudball Wertfaling, Esq; Sir Richard Fowler Baronet, Francis Whichcote, Robert Hitch, Owen Meyricke, Grey James Grove, and William Yonge Esqrs,* or any four or more of them, are hereby constituted Commissioners for taking, examining, stating and determining all the Accounts and Demands mentioned in the Acts 1 G. c. 24. and c. 35. 3 G. c. 17. 4 G. c. 9. and 5 G. c. 14, (*All which Acts see in Vol. 5. Tit. Accounts*) which the Commissioners respectively were by the
- VOL. VI. B said

Accounts.

said Acts enabled to take, &c. but have not been taken, &c. by them: And they are hereby authorized to make out Certificates in like Manner, and to the like Persons as by the last of those Acts is directed; which Persons are hereby authorized to issue Debentures accordingly. And the said several Acts and every Clause, &c. therein contained, or in any other Act relating thereunto, not hereby altered or otherwise provided for, shall be revived and continued in Force from 9 March 1719, to 10 March 1720, and may be executed by the Commissioners herein named, or any four or more of them.

II. *Señ. 2.* The Commissioners to be sworn, and the Form of the Oath, the same as in 1 G. c. 24. See Vol. 5. Tit. Accounts.

III. *Señ. 3.* The Treasury shall issue any Sum not exceeding 3000*l.* to such Persons as four of the Commissioners shall by Writing under their Hands desire, out of the Supply granted this Session for publick Services, to be employ'd in the Payment of Clerks, Messengers, Officers, and other incident Charges; as also 500*l.* to each Commissioner, to be computed and paid by Quarterly Payments from 9 March 1719 to 10 March 1720; all which Allowances and Payments shall be free of all Taxes.

IV. *Señ. 4.* No Person appointed a Commissioner shall be capable of accepting any Place of Profit under his Majesty during this Act.

V. *Señ. 5.* None of the Commissioners shall incur any Penalty or Disability for putting this Act in Execution, nor be deemed incapable of sitting or voting in Parliament.

VI. *Señ. 6.* Persons altering or counterfeiting any Debenture to be issued by Virtue of this or any former Acts; or knowingly or fraudulently issuing any Debenture, other than for such Sums as shall have been certify'd by the Commissioners to be due, shall for every Offence be adjudged a Felon, and suffer Death as in Cases of Felony, without Benefit of Clergy. See Annuities.

VII. *Señ. 11.* The Accounts of several Regiments which served in Spain and Portugal, not having been adjusted, by reason that the several Agents, or other proper Persons, have not appeared before the late Commissioners, to exhibit the Accounts of the said Regiments; Therefore, if on Summons under the Hands of four or more Commissioners, the said Agents, Paymasters, or commanding Officers of Regiments, shall not appear before the said Commissioners, in order to settle the Accounts of their respective Regiments, within twenty Days after such Summons, then the Commissioners shall proceed to determine such Regimental Balance agreeable to the Accounts deliver'd in by the Paymaster General: And if the major Part of the Officers of any Regiment agree to appoint any Person to make up their Accounts, upon

upon Delivery thereof on Oath by the Persons so appointed, the Commissioners shall make out Certificates to each particular Officer for so much as the Regimental Balance shall amount unto, in just Proportions; and if the said Balance be not sufficient, then to issue their Certificates for the Remainder upon the Agent, Paymaster, or other Person, as shall appear to have received the said Money, or by whose Authority the same was received, and not accounted for: And if the Person on whom such Certificate shall be made, neglect or refuse Payment upon Demand, the Party to whom such Balance is due, may bring his Action of Debt or upon the Case, for the same; which shall be deemed a stated Debt or Demand, and Judgment be given accordingly.

VIII. *Sett.* 12. The Commissioners shall not issue Certificates to the States General of the United Provinces, who have exhibited a Demand for a considerable Sum of Money due to them for Services in the late War, for more than one Moiety of what shall appear due to them, till the Accounts of the Regiments of *Wood, Dowglas, and Hamilton*, who were in the Service of the said States, and to whom considerable Sums are owing for their said Service, be settled and allowed by the said States: And on Certificate under the Hands of the proper Officer of the States, and of the Agents of those three Regiments, that the Account is settled and allowed, then the Commissioners shall issue Certificates for the remaining Money, *viz.* to the Agent of each Regiment for so much as shall appear due to them, and for the Remainder to the States General.

IX. *Sett.* 13. If no Account so settled be produced to the Commissioners by 10 *Feb.* 1720, then the Commissioners shall deliver to the Paymaster of his Majesty's Guards and Garrisons, or to such other Person as the Treasury shall appoint, a Certificate expressing the Sum remaining unsatisfy'd for the other Moiety due to the States, without making any Apportionment thereof, but taking from the said Paymaster, or other Person, a Receipt for the Certificate so delivered.

X. *Sett.* 14. If such settled Account be produced to the said Paymaster or other Person, by 10 *March* 1720, he shall make forth Debentures for the remaining Moiety in the following Proportions, *viz.* To the Agent of each of the three forementioned Regiments, for so much as shall appear to be due to them respectively, and for the Remainder of the same Moiety, to the States General: Which Debentures shall carry an Annuity of 4*l.* per Cent. per Annum, commencing from 24 *June* 1717. And the Treasury, upon the producing of such Debentures, shall issue standing Orders for the Payment of such Annuities, out of the general Fund establish'd by 3 *G. c.* 7. *Sec.* And if no such settled Account be produced

by 10 *March* 1720, then the said Certificate of the Commissioners shall be subject to the Order and Disposition of Parliament.

XI. *Señ.* 15. The Commissioners, in Stating the Accounts of *Richard* Lord Viscount *Shanon*, as a General Officer, shall give him Credit for 645 *l.* received from the Duke of *Chandos*, late Paymaster General of the Forces abroad, and for 2090 *l.* from *John Howe* Esq; Paymaster General of the Guards and Garrisons, which were paid him by Virtue of any Sign-Manuals of her late Majesty, on Account of Pay of himself and his Aids-de-Camp as Lieutenant-General or Commander in Chief of an Expedition at that Time intended; and the Commissioners are impower'd to allow the same.

XII. *Señ.* 16. The Commissioners shall give Credit to Major General *Joseph Wightman* for his Service as a General Officer in *Scotland*, according to the Commission he had in the Years 1712, 1713, and 1714.

XIII. *Señ.* 17. The Commissioners shall allow the Officers of the late Regiments of Dragoons of *Hunt*, *Withers*, and *Delabouchetierre*, and of the late Regiments of Foot of *Vezey*, *Edward Jones*, *James Butler*, *Maurice Nassau*, *William Stanhope*, *Sir Robert Rich*, Lord *Mark Kerr*, *Eliot*, *Molesworth* and *Dubourgay*, that were disbanded in Parts beyond the Seas, Credit for their full Pay, from the Time of Disbandment of the said Regiments, till the respective Days of the Arrival of such Officers in *Great Britain*, charging back upon them in their Accounts all Sums received for the same Time upon the Account of Half-Pay: Provided, That where it shall appear, that any Officer has unnecessarily delayed returning to *Great Britain*, the Commissioners shall allow Credit for full Pay to such Officer for so long Time only as to them shall seem reasonable for the said Officer's Return after such Determination of his Service, or Orders for remaining abroad.

XIV. *Señ.* 18. The Commissioners shall examine, state, and determine the Debts due to the Officers of the Marine Regiments on the three following Heads, *viz.* For the Pay of the effective Men left out of the Muster-Rolls, for Levy-Money, and for double Commissions, and shall certify the same to the proper Paymaster, who shall thereupon make out Debentures to the Parties concerned, to be satisfied in the Manner prescribed by this and former Acts in that Behalf.

XV. *Señ.* 19. The Commissioners shall not proceed to examine or state any Claim or Demand whatsoever, but such only as have been already made and lodged before the late Commissioners on or before 9 *March* 1719.

XVI. *Señ.* 20. Nothing herein shall extend to prevent the Commissioners giving any additional Credit in the Accounts of any Person, which shall appear to them to be reasonable,

and shall arise upon the Examination of any Claim or Demand already lodged before the late Commissioners.

XVII. Stat. 7 G. c. 30. An Act for appointing Commissioners to examine, state, and determine the Debts due to the Army.

By the first Section of this Act, the same Commissioners are appointed with the same Powers, as in 6 G. c. 17. which with other recited Acts, is revived and continued in Force from 9 March 1720 to 10 March 1721; and the nine following Sections of this Act are verbatim the same as in the said Act 6 G. which see above Par. I. &c. And then this Act proceeds as follows.

XVIII. Sect. 11. The Commissioners shall proceed to state and determine what Proportion of Money is due to the Officers of the Regiments of Wood, Douglas, and Hamilton, their Executors, &c. from the States General, during the Time the said Regiments were in their Service; and shall certify the same to the Paymaster of the Forces, in Order to his making out Debentures to the Persons to whom the Monies so certified to be due shall belong.

XIX. Sect. 12. The Paymaster shall make forth Debentures for the Sums so certified; which Debentures shall carry an Annuity after the Rate of 4 l. per Cent. and the Treasury shall issue standing Orders for the Payment of such Annuities to the said Officers, or their Agents, &c. accordingly; and the same shall be charged on the General Fund, payable in like Manner, and attended with the same Powers, &c. as other Annuities are by the said Act of 6 G.

XX. Sect. 13. The Officers of the said Regiments, their Executors, &c. or the Agents of the Regiments respectively, shall produce and deliver on Oath to the Commissioners, all such Ordinances or Warrants, as they or their Agents have received from, and are not deliver'd back to the States General, for Money due for their Service: And if the Officers, their Executors, &c. or their Agents, fail to deliver one or more of the said Ordinances, &c. the Commissioners are to deliver to the Paymaster an Account in Writing of such Ordinance, &c. not deliver'd up, with a Certificate to the Value of such Ordinance, &c. for which Certificate the Paymaster is not to issue a Debenture till he hath received the said Ordinance, &c. or other Ordinance of like Value.

XXI. Sect. 14. The Commissioners shall not deliver out Certificates for Debentures for Money due to any of the Officers of the said three Regiments, till after 20 Octob. 1721, in Order that all just Claims of the said Officers may appear to the Commissioners, and be determined by them.

XXII. Sect. 15. The Debts due from the respective Officers of the said Regiments, shall only be chargeable on that

Part of the Sum due to them as shall appear to be due to the Officers respectively.

XXIII. *Señ. 16.* The Commissioners may give Credit to *Richard Lord Viscount Shannon* for the Pay of himself, as Lieutenant-General, with his Aids-de-Camp, and all other usual Allowances to General Officers of his Rank, serving abroad, as fully as if he had actually and in Person been attending that Service.

XXIV. *Señ. 17.* The Commissioners may allow Credit in the Account of Lieutenant-General *Harvey*, for the Pay he received by Virtue of her late Majesty's Warrant, as Brigadier, from 25 Dec. 1705, to 24 June 1706.

XXV. *Señ. 18.* The Commissioners have Power, upon sufficient Proof, to grant Certificates for 33 Days Pay due to Brigadier *Bowles's* Regiment, and for 3 Days Pay to Colonel *Almunt's*, notwithstanding the Want of Muster-Rolls for the said Time.

XXVI. *Stat. 9 G. c. 5. Señ. 34.* All the Debentures made forth and signed by *Thomas Moore Esq;* Deputy to *James Duke of Chandos*, or such other Person as the Treasury shall appoint instead of the said *Thomas Moore*, on Certificates delivered to him or them from the Commissioners for stating the Debts due to the Army (whether such Commissioners have acted by any Commission from his Majesty, or by Virtue of Acts of Parliament) and all the standing Orders made forth by the Treasury for the Annuities at 4l. per Cent. (to commence from 24 June 1717, and payable out of the General Fund, establish'd by 3 G. c. 7.) grounded on such Debentures, shall be good in Law; any Error in the Delivery of the Certificates to the said *Thomas Moore*, or in his making forth the said Debentures thereupon, or any Misrecital or wrong Description in the said Debentures contained notwithstanding.

XXVII. *Señ. 35.* If after 24 March 1722, any Person shall alter or counterfeit any Debenture hereby declared to be valid in Law, or shall knowingly and fraudulently make out any Debenture, other than for such Sums as shall have been certified to be due by the Commissioners for stating the Debts due to the Army, he shall be adjudged a Felon, and suffer Death, and other Forfeitures, as in Cases of Felony, without Benefit of Clergy.

XXVIII. *Stat. 9 G. c. 19. Señ. 10.* Sir *Philip Meadows* and *James Bruce Esq;* Controllers of the Accounts of the Army, and *Herbert Rudkale Westfaling Esq;* or any two of them, may, on or before 1 March 1723, make forth Certificates under their Hands and Seals, directed to the Persons authorized to make

make forth the Debentures for Debts due to the Army, in Order to their making forth Debentures for the Sums due to the Regiments of *Portmore, Stuart, Wightman, Beules, and Harrison*, not exceeding 14,446 l. 2 s. 5 d. 2 q. who shall issue the same accordingly: Which Certificates and Debentures shall be made forth to the same Persons, and in the same Form, and with the same Powers, as they would have been made forth, if the Powers of the late Commissioners, appointed by 7 G. c. 30. for stating the Debts due to the Army, and of the Persons for issuing Debentures pursuant to the said Act, had continued: And the said Debentures shall carry the like Annuities with the Debentures issued by Virtue of the said Act, commencing from the same Time, payable out of the same Fund, computed and paid in the same Manner, and subject to the like Redemption, and may be exchanged for standing Orders in like Manner as the former Debentures: And the Proprietors of the Annuities created by this Act, shall have the like Estate therein, and the same Powers, &c. of assigning and devising the same, as the Proprietors of the former Annuities have by Virtue of the said Act 7 G. or of the Act 9 G. c. 5.

XXIX. *Señ. 11.* All the Provisions in the said Acts to prevent and punish the altering, counterfeiting, or fraudulently making out of Debentures, or the forging of any Orders, and all Frauds relating thereto, shall be in as full Force in relation to the Debentures, Annuities, and Orders, made forth in Pursuance of this Act, as in Relation to the Debentures, &c. made forth by 7 G. c. 30. And in general, all the Debentures, &c. made forth by this Act, shall be deemed to be in the same Case with those issued by the last mentioned Act.

XXX. *Señ. 12.* Sir *Philips Meadows, James Bruce, and Herbert Rudbale Westfaling Esqrs.* shall not incur any Disability or Penalty for putting this Act in Execution, or on Account thereof be deemed incapable of sitting in Parliament.

Annuities.

I. *Stat. 6 G. c. 11. Señ. 22.* All the Duties by this Act imposed upon Plate and other Manufactures of Silver made in this Realm or imported, shall be chargeable with the yearly Fund hereafter mentioned, and all the Annuities payable out of the same in Pursuance of this Act, but subject to such Redemption as herein is mentioned; and shall be appropriated thereto in such Manner, that all the Monies that shall remain due or in Arrear for the same Annuities, shall, in the first Place, be satisfied out of the same Duties, or so

far as the same will extend, with Preference to all other Payments that may hereafter be charged thereupon, and under the Penalties and Disabilities, in this Act contained in that Behalf.

II. *Seft.* 24. Yearly and every Year, reckoning the first Year to begin 25 *March* 1720, the full Sum of 13000 *l.* out of the Duties on Plate, in Case the same shall extend thereto, shall be the whole and entire yearly Fund; and in Case all the Monies arising by the said Duties shall not amount to 13000 *l. per Annum*, then the Monies so arising, so far as the same will extend, shall be Part of the yearly Fund for answering the Annuities herein after mentioned: And in Case the said Duties shall be so deficient, as that within any one Year, the Monies arising into the Exchequer on Account of the same, shall not amount to 13000 *l.* or to so much as shall be sufficient to discharge all the Annuities by this Act intended to be paid within the same Year respectively; then, in every such Case, so much as shall be deficient, shall be made good out of the Monies which shall arise by certain Surplusses, Excesses, and Overplus Monies, commonly called the Sinking Fund, so as the Sums to be supplied out of the said Fund, do not exceed the Monies which shall be saved by taking off the Drawback of the Duties on Hops exported to *Ireland*, pursuant to Clauses herein after contained in that Behalf; and if the same shall at any Time exceed such Saving, then the Residue of such Deficiency shall be supplied out of the then next Aids to be granted in Parliament.

III. *Seft.* 25. All the Monies arising by the said Duties on Plate, for Payment of the Annuities payable upon this Act, shall be fairly entered in one or more Books, to be kept in the Offices of the Auditor of the Receipt, and Clerk of the Pells for that Purpose; to which all Persons concerned at all seasonable Times, shall have Access without Fee or Charge.

IV. *Seft.* 26. Any Persons, Natives or Foreigners, Bodies Politick or Corporate, may contribute and pay into the Exchequer, for his Majesty's Use, any Sums not exceeding in the whole 312,000 *l.* for the Purchase of Annuities to commence from 25 *March* 1720, and to be payable to such Contributors, or such as they shall nominate, their Executors, &c. till Redemption thereof by Parliament. Which Annuities shall be computed at the Rate of 4 *l. per Cent.* for every 100 *l.* and proportionably for any greater Sum. And the Purchase-Money shall be paid into the Exchequer at the Times herein limited, *viz.* One fourth Part by 24 *June* 1720, one other fourth by 1 *Aug.* one other by 12 *Octob.* and the remaining fourth by 1 *Dec.* all in the same Year 1720. All which Annuities so to be purchased, shall be paid at *Michael-*

was and *Lady-Day* yearly, by equal Portions; the first Payment to be due at *Mich.* 1720.

V. *Seff.* 27. In the Offices of the Auditor of the Receipt and Clerk of the Pells severally, Books shall be kept for entering fairly the Names of the Contributors, and of the Persons by whose Hands they shall pay in any of the said Sums, and also the Sums so paid for such Annuities: To which Books the Contributors, their Executors, &c. may at all reasonable Times resort, and inspect the same without Fee or Reward.

VI. *Seff.* 28. The said Annuities shall be paid out of the Money arising by the said Duties, and other Provisions made by this Act for Payment thereof; and every Contributor, duly paying the Consideration-Money, his Executors, &c. shall receive and enjoy the respective Annuities, so to be purchased, out of the Monies by this Act appropriated, till Redemption thereof; and all such Purchasers, their Executors, &c. shall have good, absolute, and undefeazable Estates and Interests in the said Annuities, according to the Tenor of this Act; and all such Estates and Interest shall be adjudged in Construction of Law, and in all Courts of Law and Equity, to be a Personal, and not a Real Estate; and shall go to Executors, or Administrators, and not to the Heirs of Persons dying possess'd thereof, or interested therein: And all the said Annuities shall be free from Taxes.

VII. *Seff.* 29. Every Contributor, on Payment of his Purchase-Money, or any Proportion thereof, shall have a Talley importing the Receipt of so much as shall be so paid; and on Payment of all the Purchase-Money, he shall have an Order for paying the Annuity till Redemption by Parliament: Which Order shall be signed by the Treasurer and Under-Treasurer of the Exchequer. or by three or more Commissioners of the Treasury; and after the Signing thereof, the same shall be good in Law, and shall not be determinable upon the Death or Removal of any of them; nor shall any Lord High Treasurer, &c. have Power to revoke, countermand, or make void such Orders.

VIII. *Seff.* 30. Every such Contributor, who within the Times limited shall advance the Purchase-Money, shall be allowed Interest after the Rate of *5 l. per Cent.* for prompt Payment of the Purchase-Money, or such Proportions thereof as shall be so advanced before *1 Dec.* 1720; the said Interest to be computed from the respective Times of the actual paying the same into the Exchequer, till the said *1 Dec.*

IX. *Seff.* 31. Any Purchasers of such Annuities, their Executors, &c. may by writing under their Hands and Seals, or under the common Seal of a Corporation, or by their last Will in Writing, assign or devise their Estate or Interest in
any

any such Annuity, or in any Part thereof, to any Person whatsoever, and so *toties quoties*: And no such Assignment or Will to be revocable, so as an Entry thereof be made in Books to be kept for that Purpose in the Office of the Auditor of the Receipt, within three Months after such Assignment or Death of the Devisor: And upon producing such Assignment or Will, or Probate thereof, the Party so producing the same, shall bring therewith an Affidavit taken before a Justice of Peace, of the due Execution of the said Assignment, &c. which Affidavits shall be severally filed in the Office; and the proper Officers in the said Receipt shall make such Entries accordingly, and file the said Affidavits: And in Default of such Assignment or Devise by Deed or Will, the Interest of such Persons shall go to their Executors or Administrators.

X. *Señ.* 32. No Persons shall be admitted to purchase any such Annuity, unless the whole, or one fourth Part at least, of the Consideration-Money be advanced and paid by 24 June 1720.

XI. *Señ.* 33. Contributors not paying in the Consideration Money at the Times appointed, no Order shall be drawn or signed for such Annuity; but so much of the Consideration-Money as shall have been actually paid into the Exchequer, shall be forfeited to the Crown, and applied for publick Services.

XII. *Señ.* 34. All Receipts, Issues, &c. to be performed in the Exchequer, shall be done by the Officers there without Fee or Reward for the same, otherwise than by this Act is appointed. And if such Officers shall demand any Fee or Reward, or shall misapply any of the Monies to be paid into the Exchequer for making up the said Fund, or shall pay or issue out of the same otherwise than according to this Act, or shall not keep Books or Registers, and make Entries, and perform all other Things which by this Act they are required to do, every such Officer shall forfeit his Office, be incapable of any Place of Trust, and shall answer treble Damages and Costs of Suit to any Contributor or Person claiming under him, that will sue for the same; to be recovered by Action of Debt, &c. in any Court at *Westminster*, wherein no *Essoin*, &c. or more than one *Impar lance* shall be allowed; and the Plaintiff upon Recovery shall have full Costs: One third of the Sum recovered shall be paid into the Exchequer for the Benefit of the Crown, and the other two third Parts shall be for the Use of the Prosecutors.

XIII. *Señ.* 35. Out of the Monies arising of the Duties on Plate hereby granted, the Treasury may reward the Officers and Clerks in the Exchequer, and others any ways employed in the Execution of this Act, in Relation to the Annuities payable

payable thereupon, for their Labour and Service therein; and may also discharge all incident Charges in such Manner as they shall think reasonable.

XIV. *Señ. 36.* If there be any Surplus of the Monies arising by the Duties hereby granted, after all the Annuities, Charges, and Payments directed by this Añ shall be fully satisfied, or Money sufficient reserved for that Purpose, such Surplus shall be reserved for the publick Use, and be disposed of only by Parliament.

XV. *Señ. 37.* Persons suing for any Thing done in Pursuance of this Añ, may plead the general Issue, &c. and upon a Verdict, &c. the Defendant shall have treble Costs.

XVI. *Señ. 38.* Upon publick Notice to be printed in the London Gazette, and affixed upon the *Royal Exchange*, by Authority of Parliament, at any of the Quarterly Feast-Days for Payment of the Annuities; and upon Repayment by Parliament of the principal Sums payable to Persons entitled to the said Annuities, and upon full Payment of all Arrears of the same Annuities at 4 *l. per Cent.* then the Annuities shall cease: And any Vote or Resolution of the House of Commons, signify'd by the Speaker in Writing, to be inserted in the Gazette, and affixed upon the *Royal Exchange*, shall be adjudged sufficient Notice.

XVII. *Stat. 6 G. c. 17. Señ. 7.* All Debentures made by any Paymaster or his Deputy, in Pursuance of any Certificate authorized to be made out by the Commissioners, by Virtue of this or any other Añs for stating and determining the Debts due to the Army, shall carry an Annuity after the Rate of 4 *l. per Cent.* to commence from 24 June 1717; and the same Annuities shall be chargeable upon the general Fund established by 3 G. c. 7. amounting to 724,849 *l. 6 s. 10 d.* and one fifth Part of a Penny *per Annum*; and the Arrears thereof shall be computed for every Quarter till Lady-Day 1720 inclusive, and paid accordingly; and from the said Feast-Day shall be paid Half-yearly, viz. at Michaelmas and Lady-Day in every Year, by equal Portions, till Redemption by Parliament. And the Treasury are empowered, upon producing any Debenture made forth upon any Certificate, as aforesaid, (*See Accounts*) to issue standing Orders for paying the said Annuities for the principal Sums contained in the said Debentures respectively, to the Persons named therein, their Executors, &c. out of the Monies arising of the said general Fund, till Redemption as aforesaid: Which Annuities shall be deemed personal Estates, and be free from all Taxes; and the Proprietors thereof shall have good and sure Estates therein, and Power to assign or devise their Estate or Interest in any such Annuity, or any Part thereof; and

and so *toties quoties*: And no such Assignment or Will thereof shall be revocable, so as an Entry, be made in Books to be kept for that Purpose in the Office of the Auditor of the Receipt, within three Months after such Assignment, or Death of the Devisor; and upon producing such Assignment or Will, or Probate thereof, in the said Office of Receipt, the Party producing the same, shall bring therewith an Affidavit taken before a Justice of Peace, of the due Execution of the said Assignment or Will, which Affidavit shall be filed in the said Office; and the Officers there are required to make such Entry, and to file such Affidavits: And in Default of such Assignment, or Devise by Deed or Will, the Interest of such Persons shall go to their Executors or Administrators.

XVIII. *Seff.* 8. The said Annuities shall be paid by the Officers in the Receipt of Exchequer without Fee or Reward.

XIX. *Seff.* 9. But the Treasury, out of the Monies arising as aforesaid, may reward the Officers and Clerks in the said Receipt, for their Pains and Service in paying the said Annuities, and satisfy all necessarily incident Charges.

XX. *Seff.* 10. On publick Notice in the Gazette, and affixed upon the *Royal Exchange*, by Authority of Parliament, at any of the four most usual Feasts in the Year, and upon Repayment of the principal Sums for which the same Annuities shall be payable, and on Payment of all Arrearages thereof, then the Annuities shall determine. And any Vote or Resolution of the House of Commons, signified by their Speaker in Writing, to be inserted in the Gazette, and affixed on the *Royal Exchange*, shall be deemed sufficient Notice within the Meaning of this Act.

XXI. *Stat.* 7 G. c. 20. *Seff.* 35. For the better enabling the Governour and Company for raising the *Thames Water* in *York Buildings*, to raise and pay to the Government the Price for the Purchase of the Forfeited Estates by them bought, it shall be lawful for them to grant and dispose of Rent-Charges or Annuities to the full Extent and Value of such of the said Estates as are or shall be by them purchased, by way of Lottery, and for any Persons, in that Method, to purchase such Annuities of the said Company.

XXII. *Stat.* 7 G. c. 27. *Seff.* 1. Yearly and every Year, from *Midsummer* 1721, a certain yearly Fund, to be computed after the Rate of 5 *l.* *per Cent. per Annum*, for and upon all the Annuities to be purchased on this Act, shall be established for satisfying and discharging the same Annuities 'till redeemed by the Crown. Nevertheless the said yearly Fund shall

shall be subject to a proportionable Reducement or Abatement, according to the Proviso of Redemption herein after contained.

XXIII. *Seçt. 2.* The said yearly Fund shall be charged upon and payable out of all the Revenues settled for the Support of his Majesty's Household, and the Honour and Dignity of the Crown, as well the hereditary as those which were granted during his Majesty's Life, unless the same Annuities shall be sooner redeemed: And the Sums of Money which during his Majesty's Life, shall be issued upon the said yearly Fund, shall be deemed Part of the yearly Fund of 700,000 *l.* settled on his Majesty for Life.

XXIV. *Seçt. 3.* In Case of his Majesty's Demise, before Redemption of all the Annuities, then the yearly Fund after the Rate of 5 *l. per Cent. per Annum*, shall be charged upon, and payable out of the hereditary Revenues, 'till the compleat Redemption of all the said Annuities to be purchased upon this Act, with Preference to all Payments which shall hereafter be charged on the said Revenues.

XXV. *Seçt. 4.* This Act shall not make void, alter, or prejudice any Disposition, Appropriation, Appointment, &c. contained, saved, excepted, or allowed in any former Act; nor prejudice any Pensions or Annuities charged upon the hereditary Revenues in Pursuance of any Act of Parliament, or by Vertue of any Grant or Letters Patents granted by any former Kings or Queens of this Realm; which Pensions and Annuities shall be paid, but not deemed to be Part of the 700,000 *l.* during his Majesty's Life.

XXVI. *Seçt. 5.* Any Person may contribute and pay to the chief Cashier of the Bank, any Sums of Money not exceeding in the whole 500,000 *l.* for the Purchase of Annuities, to commence from *Midsummer 1721*, and to be payable to the Contributors, or such as they shall nominate, their Executors, &c. so as such Cashier do first give Security to the good Liking of the Treasury, for paying into the Exchequer the Money so contributed, and to account duly for the same. Which Annuities shall be computed after the Rate of 5 *l. per Cent.* for every 100 *l.* and proportionably for any greater Sum. The Purchase-Money to be paid, *viz.* one half thereof by 11 *Sept. 1721*, and the Remainder by 10 *Nov. 1721*. The Annuities to be payable at the four most usual Feasts in the Year, and the first Payment to be due at *Michaelmas 1721*, or within six Days after.

XXVII. *Seçt. 6.* The Contributors shall be allowed Interest after the Rate of 6 *l. per Cent. per Annum* for prompt Payment of the Purchase-Money which they shall advance before 11 *Sept. 1721*; the Interest to be computed from the Time of the actual advancing the Money to the Cashier, 'till the
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the said 11 Sept. And the Cashier is required, upon the advancing any such Sums, to give a Receipt signed by himself, for each Payment, to the Payer thereof; and to pay into the Exchequer all the Monies he shall receive, as fast as he receives the same, or within seven Days at farthest; and to account for all the Monies so to be advanced to him in the Court of Exchequer, according to the due Course thereof.

XXVIII. *Seff.* 7. Books shall be kept in the Office of the Accountant General of the Bank, in which shall be fairly entered the Names of the Contributors, and of the Persons by whose Hands they shall pay in any of the Sums upon this Act, and also the Sum so paid; to which Books the Contributors, their Executors, &c. may have Resort, and inspect the same without Fee. And the said Accountant General shall, by or before 25 March 1722, transmit an attested Duplicate of the said Books in the Office of the Auditor of the Receipt of the Exchequer.

XXIX. *Seff.* 8. The Contributors, paying the Purchase-Money by the Times limited, shall receive and enjoy the respective Annuities out of the yearly Fund by this Act settled for Payment thereof, and shall have good and sure Estates therein for ever, but subject to such Reduction and Redemption as are in this Act provided concerning the same; and the said Annuities, and Principal paid for them, shall be free from all Taxes.

XXX. *Seff.* 9. The Treasury shall cause so much of the Monies arising of the Revenues hereby charged with the said yearly Fund, to be set apart weekly, or otherwise, as shall be sufficient to pay, at the End of every Quarter, or within six Days after, so much as shall be due upon every Annuity; which Monies so set apart, are hereby appropriated for Payment thereof; and shall cause the same to be issued to the said chief Cashier of the Bank, by Way of Imprest and upon Account, for Payment of the said Annuities; and no Fee or Gratuity shall be demanded or taken by any Officers in the Exchequer, or by the said Cashier, or others, for issuing or Payment thereof, or for any Transfer, or other Matter hereby required to be done concerning the same, other than such Allowance as his Majesty, at his own Charge, shall be pleased to make, for their Pains and Service therein. And if any such Officer, &c. demand or take any Fee, &c. or misapply any of the Money, he shall be incapable of holding any Office, or Place of Trust, or Profit under the Crown, and shall also forfeit treble Damages to the Party grieved, to be recovered with full Costs by Action, &c.

XXXI. *Seff.* 10. The Bank shall appoint and employ one sufficient Person within their Office in London, to be their chief Cashier, and one other to be their Accountant General;

ral; and such Cashier to whom the Monies shall be issued for Payment of the Annuities, shall without Delay apply the same accordingly, and render his Accounts thereof according to the Course of the Exchequer; and such Accountant General shall inspect and examine all the Receipts and Payments of the said Cashier, and the Vouchers relating thereto, in order to prevent any Fraud, Negligence, or Delay: And Persons possess'd of the said Annuities, shall be possess'd thereof as of a personal Estate; and the same shall not be descendible to the Heir, nor liable to foreign Attachment, by the Custom of London, or otherwise.

XXXII. *Sett.* 11. All the Monies contributed shall be deemed to be one Capital Stock, on which the Annuities shall be attending; and all Persons, in the Proportion of 100*l.* for every 5*l. per Annum*, which they shall have in the said Annuities, shall have a Share in the said Stock, and in the proportional Annuity attending the same; and the said Capital Stock, or any Share therein, and the proportional Annuity, shall be assignable and transferrable as this Act directs, and not otherwise; and there shall be kept, at the Office of the said chief Accountant in London, a Book in which all Assignments or Transfers of the said Stock, &c. shall be enter'd in proper Words, and signed by the Parties making such Assignments; or, in their Absence, by their Attornies, thereto lawfully authorized by Writing under their Hands and Seals, attested by two or more Witnesses; and the Persons to whom such Transfers shall be made, are to underwrite their Acceptance thereof; and no other Method of assigning or transferring the said Stock, &c. shall be good in Law.

XXXIII. *Sett.* 12. Provided, That any Person possess'd of such Stock, &c. may devise the same by Will in Writing, attested by two or more Witnesses: But such Devisee shall receive no Payment thereon, 'till so much of the said Will as relates to the said Stock, or Annuity, be entered in the said Office, and in Default of such Transfer or Devise, the said Stock and Annuities shall go to Executors or Administrators. No Stamp-Duties shall be chargeable on the said Transfers.

XXXIV. *Sett.* 13. Persons who shall accept any Assignment or Transfer of any Stock from any Contributor who shall have paid only Part of the Contribution-Money, shall be liable to pay the Residue thereof, and to such Forfeiture for Non-payment, as the original Contributor would have been, if no Transfer had been made.

XXXV. *Sett.* 14. No Person shall purchase, or be admitted to purchase any of the Annuities upon this Act, unless the whole, or one Moiety at least of the Consideration-Money be advanced to the said Cashier by 11 Sept. 1721.

XXXVI

XXXVI. Sect. 15. If any Contributor who shall by 11 *Sept.* 1721, have advanced one Moiety or more of the said Purchase-Money, or his Executors, &c. do not pay the remaining Part by 10 *Nov.* 1721, in every such Case, so much of the Consideration-Money as shall have been paid for the first Payment, shall be forfeited for the Use of his Majesty, and no Annuity shall be payable for the said first Payment.

XXXVII. Sect. 16. The Bank (notwithstanding the Redemption of all or any their own Funds) shall continue a Corporation for the Purposes in this Act, 'till all the Annuities to be purchased hereon, shall be redeemed by the Crown, and the said Governour and Company, or any Members thereof, shall not incur any Disability by Reason of their doing any Thing in Pursuance of this Act.

XXXVIII. Sect. 17. The Crown, at any Time, upon one Quarter of a Year's Notice to be given under the Royal Sign-Manual, and affixed on the *Royal Exchange*, may, at any of the quarterly Days of Payment of the said Annuities, redeem the same, by paying to the then Proprietors the Purchase-Money originally paid for the same (without Deduction of the Allowance for prompt Payment) and all Arrears till then incurred, and after such Payment, or reserving Money in the Exchequer to make such Payment on Demand, the same Annuities shall from thenceforth cease and determine.

XXXIX. Sect. 18. On a like Quarter's Notice, to be given and published as aforesaid, his Majesty, his Heirs, or Successors, may redeem one Moiety, or any other greater and certain Proportion of the said Annuities, by paying to the then Proprietors a Half-part, or such greater Proportion of the Purchase-Money originally paid for the same, (without any Deduction of the Allowance for prompt Payment) and all Arrears incurred till the Time of such Payment, to be made at the End of the then next ensuing quarterly Feast-Day; and after such Payment, or reserving Money in the Exchequer ready to make the same, a proportional Part of the Annuities shall determine, and the said Revenues shall be discharged from a proportional Part of the said Annuities so redeemed: And his Majesty may at any Time afterwards, upon like Notice and Payment, redeem the remaining Parts of all and every the said Annuities.

XL. Sect. 19. It shall be lawful for his Majesty, his Heirs, and Successors, by any Warrant under the Great Seal of *Great Britain*, Privy Seal, or Royal Sign-Manual, to cause a Deduction to be made, not exceeding 6*d.* in the Pound, out of all Monies which, after 1 *Aug.* 1721, shall be paid upon all Pensions and Annuities, charged on the said hereditary or temporary Duties, and upon all Salaries, Fees, and Wages, payable

payable in respect of Offices of Profit, granted by or derived from the Crown, and upon all other Payments from the Crown whatsoever, or upon any Arrears thereof; the Pay of Commission and Non-commission Officers and private Men, serving in the Navy or Army only excepted: The same Deductions to be made for the Use of his Majesty, &c. for the Benefit of the Civil Government, so long as the said Annuities shall be payable out of the Revenues charged therewith, and till they shall be redeemed.

XLII. *Señ. 20.* This Act shall not enable his Majesty to charge the Annuities of 100,000 *l.* granted to the Prince of *Wales*, or his Trustees, during the joint Lives of his Majesty and the said Prince; or the Annuities of 50,000 *l.* granted to the Princess of *Wales*, or Persons in Trust for her, to take Effect after the Decease of the said Prince, with the above-mention'd Deduction of 6 *d.* in the Pound.

XLII. *Señ. 21.* This Act shall not prejudice, delay, or interrupt the Payment of the said Annuity of 50,000 *l.* granted to the Princess of *Wales*, or to any in Trust for her, to commence immediately after the Decease of his Royal Highness.

XLIII. *Señ. 22.* The Treasury, at any Time before or after 11 *Sept.* 1721, may cause any Arrears of any Fees, Salaries, Wages, Pensions, Annuities, or other certain or extraordinary Allowances, or any Debts payable at the Receipt of the Exchequer, by Virtue of any Letters Patents, Letters of Privy Seal, or other lawful Authorities, to be satisfied and paid by levying Tallies of *Pro* or Assignment, or other Tallies, on the Cashier of the Bank, for or in Part of the said Sum of 500,000 *l.* and may also cause Issues to be made at the said Receipt to the Cofferer of his Majesty's Household, the Treasurer of his Majesty's Chamber, the Master of his Majesty's great Wardrobe, or any other Officer, by whom any Money due from his Majesty, for Wages, Board-Wages, Diet-Money, or for Emptions, Provisions, or any Pensions, Annuities, or other Matters relating to the Expences of the Civil Government, are payable, any Sums for the Service of their respective Offices, upon proper Orders to be made forth by Virtue of Letters under his Majesty's Great or Privy Seal, for Payment thereof; and may cause the said Sums to be likewise satisfied by levying Tallies in the Name of the said Cofferer, &c. upon the said Cashier of the Bank, for or in Part of the said 500,000 *l.*

XLIV. *Señ. 23.* Upon producing and delivering such Tallies to the said Cashier, before or after the said 11th *Sept.* 1721, he shall forthwith give a Receipt in Writing sign'd by himself, for the Tallies so deliver'd to him; which Tallies shall be allow'd in the said Cashier's Accounts, to be passed in the Court of Exchequer; and the Persons producing the

said Tallies, shall be deemed Contributors within this Act, to all Intents, as if they had advanced Money in Specie; and the Names of such Contributors, and the Sums contained in their Tallies, shall be enter'd in the Books to be kept by the Controller, and into the Duplicates thereof, to be transmitted into the said Auditor's Office; and every such Contributor, his Executors, &c. shall have and enjoy the Annuities so purchased, out of the yearly Fund by this Act established, and shall have the like Estate and Interest therein, as if his Contribution had been made in ready Money; and the same shall also be free from all Taxes, &c.

XLV. *Seff.* 24. All the Powers, Directions, Penalties, &c. herein above contained, for securing, paying, assigning, transferring, devising, redeeming, reimbursing, or otherwise, concerning the Annuities to be purchased with Money in Specie, shall be applied, practised, and put in Execution, for securing, &c. the Annuities to be purchased by delivering up Tallies as aforesaid, as fully and effectually, as if the said Powers, &c. were again repeated and re-enacted.

XLVI. *Stat.* 8 G. c. 2. *Seff.* 39. The Accountant General of the Bank shall have farther Time allowed, till 29 *Sept.* 1722, to transmit an attested Duplicate of the Books of the Names of the Persons who, pursuant to 7 G. c. 27. have or shall purchase Annuities on the Civil List Revenues, and such other Matters as by the said Act are required, into the Office of the Auditor of the Receipt, there to remain for ever.

XLVII. *Stat.* 8 G. c. 20. *Seff.* 43. The Proprietors of the Debentures made forth to the Proprietors of the Plantations, and Inhabitants of the Islands of *Nevis* and *St. Christophers*, by Virtue of the Acts 9 A. c. 23, and 10 A. c. 34. their Executors, &c. shall have and be entitled to Annuities after the Rate of 3 *l. per Cent.* for and in Lieu of the Principal and Interest due and unpaid to them respectively on their said Debentures, to commence from *Christmas* 1721, and be payable Half-yearly till redeemed by Parliament: The first Payment to be made at *Midsummer* 1722, and shall be charged on the general Fund establish'd by 3 G. c. 7. And the Treasury, upon producing to them any of the said Debentures, are to issue standing Orders for paying the said Annuities to the respective Proprietors, their Executors, &c. out of the Monies arising of the said general Fund, till such Redemption as aforesaid: Which Annuities shall be deemed Personal Estates, and shall be free of all Taxes; and the Proprietors shall have good and sure Estates therein, and may assign or devise their Interest in any such Annuity, or any Part thereof; and

and so *toties quoties*: And no such Assignment shall be revocable, so as an Entry of such Assignment or Will be made in Books kept for that Purpose in the Auditor of the Receipts Office, within three Months after such Assignment, or Death of the Devisor. And upon producing such Assignment or Will, or Probate thereof, in the said Office, the Party producing the same, shall bring therewith an Affidavit, taken before a Justice of the Peace, of the due Execution thereof; and the Affidavit shall be filed in the said Office; the Officers in the Exchequer are required to make the Entries, and file the Affidavits accordingly. In Default of such Assignment or Devise, the Interest of such Persons shall go to their Executors, &c. And the Annuities shall be paid without Fee.

XLVIII. *Seft.* 44. The Treasury may reward the Officers and Clerks in the Receipt of the Exchequer, for their Pains and Service in paying these Annuities, and satisfy the incident Charges out of the Sinking Fund.

XLIX. *Seft.* 45. At any Time, on publick Notice in the Gazette, and affixed on the *Royal Exchange*, by Authority of Parliament, at any of the most usual Feasts of the Year, and upon Repayment of the principal Sums for which the same Annuities shall be payable, and also on full Payment of all Arrearages of the same Annuities, to be computed by the Day at 3 *l.* *per Cent. per Annum*, till such actual Repayment, then the Annuities shall cease. And any Vote of the House of Commons, signified by the Speaker in Writing, to be inserted in the Gazette, and affixed on the *Royal Exchange*, shall be deemed to be sufficient Notice.

L. *Stat.* 9 G. c. 5. *Seft.* 1. In order to the redeeming of the Annuities on the Acts of 1 G. c. 19, and c. 21. amounting to 10,191 *l.* 4 *s.* 3 *d.* *per Annum*, and 1,573 *l.* 13 *s.* 8 *d.* *per Annum*, payable at 5 *l.* *per Cent.* by the Cashier of the Bank of England, at the End of one Year after *Lady-day* 1723, by paying to the said Cashier the several Sums of 203,824 *l.* 5 *s.* and 31,473 *l.* 13 *s.* 4 *d.* and the Arrears due on the said Annuities, for the Use of the Persons as shall be then entitled to the same, It is enacted, That on or before *Lady-day* 1723, the Speaker of the House of Commons may give, or leave Notice in Writing at the Office of the Bank, That the honourable the House of Commons will, at *Lady-day* 1724, redeem the said Annuities amounting to 1,573 *l.* 13 *s.* 8 *d.* *per Annum*.

LI. *Seft.* 2. Such Notice, and the Notice which the said Speaker did, on 25 Dec. 1722, pursuant to an Order of the same House, give or leave at the said Office, for redeeming all such Annuities purchased after the Rate of 5 *l.* *per Cent.* on the Act 1 G. c. 19. as had not been subscribed into the

said Tallies, shall be deemed Contributors within this Act, to all Intents, as if they had advanced Money in Specie; and the Names of such Contributors, and the Sums contained in their Tallies, shall be enter'd in the Books to be kept by the Controller, and into the Duplicates thereof, to be transmitted into the said Auditor's Office; and every such Contributor, his Executors, &c. shall have and enjoy the Annuities so purchased, out of the yearly Fund by this Act established, and shall have the like Estate and Interest therein, as if his Contribution had been made in ready Money; and the same shall also be free from all Taxes, &c.

XLV. *Señ. 24.* All the Powers, Directions, Penalties, &c. herein above contained, for securing, paying, assigning, transferring, devising, redeeming, reimbursing, or otherwise, concerning the Annuities to be purchased with Money in Specie, shall be applied, practised, and put in Execution, for securing, &c. the Annuities to be purchased by delivering up Tallies as aforesaid, as fully and effectually, as if the said Powers, &c. were again repeated and re-enacted.

XLVI. *Stat. 8 G. c. 2. Señ. 39.* The Accountant General of the Bank shall have farther Time allowed, till 29 *Sept.* 1722, to transmit an attested Duplicate of the Books of the Names of the Persons who, pursuant to 7 G. c. 27. have or shall purchase Annuities on the Civil List Revenues, and such other Matters as by the said Act are required, into the Office of the Auditor of the Receipt, there to remain for ever.

XLVII. *Stat. 8 G. c. 20. Señ. 43.* The Proprietors of the Debentures made forth to the Proprietors of the Plantations, and Inhabitants of the Islands of *Nevis* and *St. Christophers*, by Virtue of the Acts 9 A. c. 23, and 10 A. c. 34. their Executors, &c. shall have and be entitled to Annuities after the Rate of 3 *l. per Cent.* for and in Lieu of the Principal and Interest due and unpaid to them respectively on their said Debentures, to commence from *Christmas* 1721, and be payable Half-yearly till redeemed by Parliament: The first Payment to be made at *Midsummer* 1722, and shall be charged on the general Fund establish'd by 3 G. c. 7. And the Treasury, upon producing to them any of the said Debentures, are to issue standing Orders for paying the said Annuities to the respective Proprietors, their Executors, &c. out of the Monies arising of the said general Fund, till such Redemption as aforesaid: Which Annuities shall be deemed Personal Estates, and shall be free of all Taxes; and the Proprietors shall have good and sure Estates therein, and may assign or devise their Interest in any such Annuity, or any Part thereof; and

and so *toties quoties*: And no such Assignment shall be revocable, so as an Entry of such Assignment or Will be made in Books kept for that Purpose in the Auditor of the Receipts Office, within three Months after such Assignment, or Death of the Devisor. And upon producing such Assignment or Will, or Probate thereof, in the said Office, the Party producing the same, shall bring therewith an Affidavit, taken before a Justice of the Peace, of the due Execution thereof; and the Affidavit shall be filed in the said Office; the Officers in the Exchequer are required to make the Entries, and file the Affidavits accordingly. In Default of such Assignment or Devise, the Interest of such Persons shall go to their Executors, &c. And the Annuities shall be paid without Fee.

XLVIII. *Señ. 44.* The Treasury may reward the Officers and Clerks in the Receipt of the Exchequer, for their Pains and Service in paying these Annuities, and satisfy the incident Charges out of the Sinking Fund.

XLIX. *Señ. 45.* At any Time, on publick Notice in the Gazette, and affixed on the *Royal Exchange*, by Authority of Parliament, at any of the most usual Feasts of the Year, and upon Repayment of the principal Sums for which the same Annuities shall be payable, and also on full Payment of all Arrearages of the same Annuities, to be computed by the Day at 3 *l. per Cent. per Annum*, till such actual Repayment, then the Annuities shall cease. And any Vote of the House of Commons, signified by the Speaker in Writing, to be inserted in the Gazette, and affixed on the *Royal Exchange*, shall be deemed to be sufficient Notice.

L. *Stat. 9 G. c. 5. Señ. 1.* In order to the redeeming of the Annuities on the Acts of 1 G. c. 19, and c. 21. amounting to 10,191 *l. 4 s. 3 d. per Annum*, and 1,573 *l. 13 s. 8 d. per Annum*, payable at 5 *l. per Cent.* by the Cashier of the Bank of England, at the End of one Year after *Lady-day 1723*, by paying to the said Cashier the several Sums of 203,824 *l. 5 s.* and 31,473 *l. 13 s. 4 d.* and the Arrears due on the said Annuities, for the Use of the Persons as shall be then entitled to the same, It is enacted, That on or before *Lady-day 1723*, the Speaker of the House of Commons may give, or leave Notice in Writing at the Office of the Bank, That the honourable the House of Commons will, at *Lady-day 1724*, redeem the said Annuities amounting to 1,573 *l. 13 s. 8 d. per Annum*.

LI. *Señ. 2.* Such Notice, and the Notice which the said Speaker did, on 25 Dec. 1722, pursuant to an Order of the same House, give or leave at the said Office, for redeeming all such Annuities purchased after the Rate of 5 *l. per Cent.* on the Act 1 G. c. 19. as had not been subscribed into the

Capital Stock of the South-Sea Company, shall be deemed sufficient Notices for redeeming as well the said Annuities of 10,191 *l.* 4 *s.* 3 *d.* as the Annuities of 1,573 *l.* 13 *s.* 8 *d.* at Lady-Day 1724, and the same shall be redeemable accordingly.

LII. *Seff.* 3. Out of such Monies as are or shall be in the Receipt of the Exchequer, of the Sinking Fund, arisen or to arise for the Year ended at *Michaelmas* 1722, or for any Time preceding the same Day, (except such Payments as have been directed to be made at or before the said Feast-day by Authority of Parliament, out of the said Fund) there shall be issued the Sum of 204,786 *l.* 3 *s.* 4 *d.* 3 *q.* in Part of the principal Sum of 1,204,786 *l.* 3 *s.* 4 *d.* 3 *q.* transferrable at the Bank, to the Cashier of the Bank, by Way of Imprest and upon Account, to be by him applied and paid over, together with such other Monies to be raised as is hereafter mentioned, for discharging the said principal Sum of 1,204,786 *l.* 3 *s.* 4 *d.* 3 *q.* and for redeeming the Annuities of 5 *l.* *per Cent.* payable thereon, by the Act 3 *G. c.* 7. amounting to 60,230 *l.* 6 *s.* 2 *d.* *per Annum*; and the Treasury shall cause the said Sum of 204,786 *l.* 3 *s.* 4 *d.* 3 *q.* to be paid to the said Cashier accordingly.

LIII. *Seff.* 4. And to compleat the Redemption of the said Annuities of 60,239 *l.* 6 *s.* 2 *d.* *per Annum*, the Treasury are authorized to cause to be made out at the Exchequer, in such Method as they shall think most safe and convenient, any Number of new Exchequer-Bills, containing one common Sum, or different Sums, so as all the principal Sums contained in such Bills do amount to one Million, and no more.

LIV. *Seff.* 5. These Bills shall bear an Interest of 2 *d.* *per Cent. per Diem*, and be payable to the Bearers, but the Interest shall be abated and saved on such of the Bills as shall be in the Receipt of the Exchequer, or in the Hands of any Receivers or Collectors of Taxes, &c. during the Time they shall be in such Receipt, or in such Hands.

LV. *Seff.* 6. Like Clause relating to the numbering of the Bills, &c. as in Tit. Exchequer-Bills, Par. 87.

LVI. *Seff.* 7. The Treasury shall cause these Bills to be placed as so much Cash in the Offices of the Tellers, who shall be severally charged with the Proportions of the Bills which shall be so placed in their Offices.

LVII. *Seff.* 8. The Treasury shall, without farther Warrant, cause all the said Bills amounting to one Million, to be issued to the Cashier of the Bank, by Way of Imprest, and upon Account, to raise Money, to be by him forthwith applied towards discharging the said principal Sum of 1,204,786 *l.* 3 *s.* 4 *d.* 3 *q.* and for redeeming the Annuities of 60,239 *l.* 6 *s.* 2 *d.* *per Annum*, attending the same: And the Cashier who shall

shall receive the said several Sums of 204,786 l. 3 s. 4 d. 3 q. and one Million, shall pay over the same to such Persons as shall be entitled to the said Annuities, according to such Interests as they shall then have therein: And if any Arrears shall be then due upon the same, they shall be satisfied out of the general Fund, which is or shall be received by the said Cashier for that Purpose.

LVIII. Sect. 10. *The following Sections of this Act to Sect. 20. are the usual Clauses in all Acts for making forth Exchequer-Bills, and may be seen in Tit. Exchequer-Bills, Par. XIV. to Par. XXV.*

LIX. Sect. 10. To the End all the Bills to be made forth by this Act may be paid off and discharged in such Course and Order as are herein after appointed in that Behalf, and that so many of them as shall remain undischarged, may the better obtain a Currency, the Treasury shall from henceforth cause the clear Produce of the Sinking Fund to be computed and stated Half-yearly, viz. at *Lady-day* and *Michaelmas* in every Year, till all these Exchequer-Bills shall be paid off, or Money sufficient reserved for compleatly discharging the same: The first of which Accounts so to be stated, shall terminate at *Lady-day* 1723; and the subsequent Accounts thereof shall be made up and adjusted at every of the said Half-yearly Feast-Days, or as soon after as the Accounts of the publick Revenues, whereon such stated Accounts are to be formed, can be collected for that Purpose.

LX. Sect. 21. All the Monies of the Sinking Fund, produced before *Michaelmas* 1722, remaining above the Sum of 204,786 l. 3 s. 4 d. 3 q. and all the Monies arising of the said Fund, which hereafter shall appear upon adjusting every Half-yearly Account, (except the Monies appropriated by former Acts) shall be issued to such Paymaster as is herein after mentioned, towards discharging the Bills made forth by this Act, in their due Course and Order, as they shall be number'd and stand in the Register, and towards the Charge of circulating the Bills, and for such other Payments as are in the Act directed, till the Bills shall be paid off, and other Payments satisfy'd, or Money sufficient reserved for those Purposes.

LXI. Sect. 22. *Clause for appointing a Paymaster, the same as in Tit. Exchequer-Bills, Par. 92.*

LXII. Sect. 23. The Treasury shall cause not only so much of the Sinking Fund as at *Michaelmas* 1722, shall remain above the Sum of 204,786 l. 3 s. 4 d. 3 q. but also all the clear Monies of the said Fund, which shall arise on the Half-yearly Accounts, as they shall, arise to be issued to the Paymaster, for paying off the said Bills, and such other Payments as

are to be made by him, who shall apply the Money, as he shall receive the same, according to the Purport of this Act.

N. B. *The ten following Sections of this Act are verbatim the same as in 9 G. c. 2. Sect. 151, &c. which see in Tit. Exchequer-Bills, Par. XCIV. & sequent.*

LXIII. *Sect. 36.* To the End the compleat Redemption of the said Annuities, amounting to 60,239*l.* 6*s.* 2*d.* per Annum, may not be obstructed or delay'd; It is enacted, That for making up the abovesaid Sum of 204,786*l.* 3*s.* 4*d.* 3*q.* by this Act intended to be applied towards the Redemption thereof, the Sum of 192,274*l.* 16*s.* 1*d.* and fourteen twentieth Parts of one Penny, remaining undisposed of the Sinking Fund, computed at *Michaelmas* 1722, shall be issued and applied according to the true Meaning of this Act above expressed; and that any further Sums not exceeding 12,511*l.* 7*s.* 3*d.* and one twentieth Part of a Penny, shall be taken out of the first Money arising out of the Sinking Fund, to be computed for any Time after *Michaelmas* 1722; and the Treasury shall issue the same accordingly.

LXIV. *Stat. 9 G. c. 12.* Whereas by the several Acts of 6 G. c. 11. 6 G. c. 17. 7 G. c. 30. and 8 G. c. 20. it was enacted, That the Purchasers of the Annuities on the said several Acts, should have Orders for the Payment of their said Annuities, and that the Proprietors thereof should have Power to assign or devise their Estates therein: And whereas the Method prescribed by the said Acts for assigning the said Annuities, is found to be chargeable, troublesome, and inconvenient to the Proprietors thereof, and 'tis doubted whether Assignments by Endorsement on such Orders are good in Law, which has occasion'd large Discounts thereon, to the Prejudice of Publick Credit: For Remedy thereof, it is Enacted,

Sect. 1. That the Proprietors of the standing Orders made forth in Pursuance of the said Acts, may, by proper Words of Assignment to be endorsed on their Orders, assign or transfer their Right, Interest and Benefit of such Orders, to any other Persons; which being notify'd to the Office of the Auditor of the Receipt, the Officers there shall, without producing such Affidavit as is required by the recited Acts, cause an Entry thereof to be made in the Book of Registry for such Orders, without Fee; and after such Entry made, such Assignment shall entitle the Assignee, his Executors, &c. to the Benefit thereof, and Payment thereon; and such Assignee may in like Manner assign again, and so *toties quoties*; and afterwards it shall not be in the Power of the Persons

sons who have made such Assignments, to make void or discharge the same.

LXV. *Señ. 2.* The Treasury may direct the turning several Orders for small Sums of 500*l.* principal Money apiece, or under, into one or more Orders for larger Sums, and cause new Standing Orders to be made forth accordingly, in Lieu of such Orders for small Sums; in which Case the former Orders shall be delivered up and cancelled; and the new Orders in Lieu thereof shall be made payable to the Proprietors of the Orders for small Sums so cancelled: And the said Auditor shall take Care, on the making out of such new Orders, not to mix any Order made out in Pursuance of any one of the said Acts, with any Order made out in Pursuance of any other of the said Acts, to prevent Confusion in the Accounts to be kept thereof; and that such Memorandums be made on the new Orders, as may denote their being made out in Lieu of such Orders for small Sums, and as may secure the Publick against double Payments, by Reason of the making out such new Orders.

LXVI. *Señ. 3.* The Treasury may cause to be made forth new standing Orders in Lieu of such as may happen in Process of Time to be defaced, obliterated, or incumber'd with many Assignments endorsed thereon, or that shall otherwise become defective, so as such defaced, &c. Orders be at the same Time delivered up and cancelled; and the new Orders be made payable to the Persons who shall appear to be the Proprietors of the Orders so cancelled. And the Auditor shall always take Care, that such Memorandums be made on the new Orders, as may denote their being made out in Lieu of defaced Orders, &c. and as may secure the Publick against any double Payment.

LXVII. *Señ. 4.* If any Person, after 2 April 1723, shall forge or counterfeit, or procure to be forged, &c. or knowingly act or assist in the forging, &c. any Order made forth in Pursuance of the said Acts, or of this Act, or any Assignment of such Order, or of the Annuities payable thereon, or of any Receipt or Discharge to the Exchequer, for the Annuity due on such standing Order, or any Letter of Attorney, or other Authority to transfer, assign, &c. any such Order, or to receive the Annuities due thereon, or shall counterfeit, &c. any Name of the Proprietor of such Order in any Assignment, Receipt, Letter of Attorney, &c. or shall fraudulently demand to receive any such Annuity by Virtue of such forged Receipt, &c. or shall falsely personate any true Proprietor of any the said Orders, and thereby assigning, or endeavouring to assign any such Order, or receiving, or endeavouring to receive the Money of such true Proprietor, as if such Offender were the lawful Owner thereof; in every such

Case, every such Person (being convicted thereof in due Form of Law) shall be adjudged guilty of Felony, and suffer as in Cases of Felony, without Benefit of Clergy.

LXVIII. Stat. 10 G. c. 5. Sect. 1. Out of such Monies as are or shall be in the Exchequer, of the Sinking Fund, arisen or to arise for the Half-Year ending at *Lady-day* 1724, or for any Time preceding the same Feast, (such other Payments exclusive of the principal Monies payable on the Exchequer-Bills, as have been directed to be made at or before the same Feast, by Authority of Parliament, out of the same Fund, always excepted) there shall be issued on or before the said Feast, the Sum of 237,807 *l.* 18 *s.* 4 *d.* to the Cashier of the Bank, by Way of Imprest and upon Account, together with so much more Monies as on the said Feast-day shall be due for the several Annuities purchased on the Acts of 1 G. c. 19, and c. 21. and 5 G. c. 1. which have not been subscribed into the Capital Stock of the South-Sea Company, to be by him applied for discharging the several Capital Sums of 203,824 *l.* 5 *s.* 31,473 *l.* 13 *s.* 4 *d.* and 2,510 *l.* and for redeeming the Annuities attending thereon, and for discharging all Arrears thereof; and the Treasury are to cause the same to be issued to the said Cashier accordingly without any further Warrant. And the said Cashier is enjoined to apply and pay over the Monies which shall be so issued to him, to such Persons and Bodies Politick, as at the Time of his Receipt thereof shall be entitled to the said several Annuities now to be redeemed, according to their respective Interests therein.

LXIX. Sect. 2. Out of such Monies as shall be in the Receipt of the Exchequer, of the Sinking Fund, arisen or to arise for the Half-year ending at *Lady-day* 1724, or for any Time preceding (except as before) there shall be issued and paid, on or before the said Feast-day, to the Paymaster of the standing Orders for the Blank Lottery Tickets, drawn in the Lottery for raising 1,400,000 *l.* for the Service of the Year 1714, which have not been subscribed into the Capital Stock of the South-Sea Company, so much more Money as, together with the Monies which shall then be in the Exchequer applicable to the Discharge of the Principal and Interest due on the same Orders, shall be sufficient to pay off all the Principal and Interest which, on the same Feast-day, shall be due on the same Orders, by Way of Imprest and on Account, to be by him applied and paid over for discharging all the said Principal and Interest: And the Treasury is to cause the same to be issued and paid to such Paymaster accordingly, without any further or other Warrant. And the said Paymaster is enjoined to apply and pay over the Monies

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so issued to him, to such Persons and Bodies Politick as shall be entitled to the said Blank Lottery Orders, and the Principal and Interest payable thereon, according to their respective Interests therein.

LXX. *Señ. 3.* After such Issues and Payments to the said Cashier and Paymaster, all the Residue of the Monies arising of the Sinking Fund, shall be issued and applied to the same Uses, and in the same Manner, as they were directed or appropriated to by any former Acts, and to none other.

Apothecaries.

I. *Stat. 9 G. c. 8. Señ. 1.* The Act 6 & 7 W. 3. c. 4. For exempting Apothecaries from serving the Offices of Constable, Scavenger, and other Parish and Ward Offices, and from serving upon Juries, which by subsequent Acts is continued, and being temporary, and near expiring, is hereby made perpetual.

Appeals.

I. *Stat. 6 G. c. 21. Señ. 10.* Enacted and Declared, That the Intent and Meaning of Appeals to Justices of the Peace in their Quarter-Sessions, against original Judgments duly given by particular Justices, upon Informations duly exhibited before them for Offences committed contrary to the respective Acts relating to the Duties upon Malt, and upon Hides and Skins, tanned, tawed or dressed, and upon Vellom and Parchment made in Great Britain, was and is, That upon such Appeals, the Justices in Quarter-Sessions shall and do proceed to re-hear, re-examine, and re-consider the Truth and Merits of the Facts in Question between the Parties to such original Judgments, and to re-examine the Witnesses upon Oath, and thereupon finally determine between the Parties; And if any Defect of Form shall be found in such Proceedings before the particular Justices who gave such original Judgment, such Defects may be rectify'd and amended by Order of the Justices at such Quarter-Sessions.

Apples.

I. *Stat. 8 G. c. 20. Señ. 46.* There shall be raised on all Apples, which after Lady-Day 1722, during three Years from thence next ensuing, or before the End of the Session of Parliament next following the said Term of three Years, shall be imported into Great Britain, (over and above all

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Customs and Duties already imposed thereon) an additional Duty of 2*s.* for every Bushel, and proportionally: To be paid in Ready Money by the Importer, before Landing the same.

II. *Seff.* 47. This additional Duty shall be raised, &c. and brought into the Exchequer, by such Rules, &c. and under such Penalties, &c. and in such Manner, as the other Duties on Apples imported, are by any Acts now in Force prescribed to be raised, &c.

III. *Seff.* 48. The said additional Duty (except the necessary Charges of Management thereof) shall be apply'd towards making good the Services for which his Majesty's Supply, granted this Session, is by this Act appropriated.

Apprentices.

I. *Stat.* 6 *G. c.* 11. *Seff.* 52. For Relief of Persons who thro' Neglect or Inadvertency, have omitted to pay the several Duties on Monies given or contracted for with Clerks and Apprentices, and to have the Indentures or Contracts stamp'd within the Times limited by Acts in that Case made, It is enacted, That on Payment of the said Duties by 29 *Sept.* 1720, to such Persons to whom the same ought to be paid, and rendering such Indentures or Contracts to be stamp'd, at the same Time, or at any Time before 25 *Dec.* 1720, the same Indentures, &c. shall be good in Law, or Equity, and may be given in Evidence in any Court whatsoever; and the Apprentices therein named, shall be capable of exercising their Trades, as fully as if the Duties had been paid within the limited Times; and the Persons who have incurred any Penalties by the said Omissions, are acquitted and discharged of the same.

II. *Stat.* 7 *G. c.* 20. *Seff.* 30. Like Clause for Relief of Clerks and Apprentices, whose Indentures have been omitted to be stamp'd by 29 *Sept.* 1721, and giving them further Time till 25 *Dec.* 1721.

III. *Stat.* 8 *G. c.* 2. *Seff.* 38. For Relief of Persons who have omitted to insert in Indentures of Apprenticeship the Sums given or contracted for, and have actually paid the Duties on the Monies given, before 29 *Sept.* 1721, and have stamp'd such Indentures according to the Provision in 7 *G. c.* 20. It is enacted, That such Indentures shall be good in Law or Equity, &c. as above, Par. 1.

IV. *Stat.*

IV. Stat. 10 G. c. 2. Sect. 41. A Clause for the Relief of Persons who have omitted to pay the Duties on Monies given with Apprentices, &c. and to insert in the Indenture the full Sums given or contracted for; and giving them further Time till 25 Dec. 1724, of which Notice is to be given in the Gazette.

Assurance-Corporations.

I. Stat. 6 G. c. 18. Sect. 1. It shall be lawful for his Majesty, by two distinct Charters, under the Great Seal of Great Britain, to declare and grant, That such and so many Persons, (who shall be named therein) and all such Persons as hereafter shall be admitted as Members into the said Corporations, shall be each a distinct and separate Body Politick and Corporate, for the Assurance of Ships, Goods, and Merchandizes at Sea, or going to Sea, or for lending Money upon Bottomry, by such Names as his Majesty shall think proper. And the said several Corporations, by their respective Names, shall have perpetual Succession, but subject to such Redemption as hereafter is provided: And the said Corporations shall have Power to choose their respective Governors, Directors, and other Officers and Servants, for the better Management of their Affairs, in such Manner, and under such Qualifications, as shall be prescribed by the said respective Charters: Nevertheless, the first Governor and Directors of each Corporation, shall be appointed by his Majesty by the same Charters respectively; and the said first, and all subsequent Governors and Directors, shall continue in their Offices for three Years; and in Case of Death or Removal, be supplied as shall be prescribed in the Charters. And each Corporation shall have and use a Common Seal, only for the Business of the same Corporations respectively; and such Seal may from Time to Time be changed or altered, as shall be found most expedient. And each of the said Corporations shall be capable in Law to purchase and enjoy Messuages, Lands, or Tenements, not exceeding 1000 *l. per Annum*, and to alien or dispose of the same at their free Wills, and shall be capable in Law to sue and be sued in Courts of Record or elsewhere, in all Actions or Causes concerning the Assurance of Ships, Goods, or Merchandizes at Sea, or lending Money upon Bottomry, or any other Matter whatsoever concerning the same Corporations.

II. Sect. 2. Each of the said two Corporations, in Consideration of the Benefits which may accrue to them by the said Charters, shall pay into the Exchequer, for the Use of his Majesty,

Majesty, to discharge the Debts and Expences of his Civil Government, the Sum of 300,000*l.* The Payments for each Corporation to be made in Manner following, *viz.* One third Part thereof, within one Calendary Month after the Date of the respective Charter; one sixth Part thereof, within three Calendary Months after such Date; one other sixth Part within five Calendary Months after such Date; one other sixth Part within eight Calendary Months after such Date; and the remaining sixth Part within ten Calendary Months after such Date, without any Deduction.

III. *Sect.* 3. If either of the Corporations shall make Failure in Payment of the said several Sums of 300,000 *l.* or any Part thereof, at the Times before limited, then the Money whereof such Failure shall have been made, may be recovered in his Majesty's Name, against the particular Corporation making such Failure, by Action of Debt, &c. in any Court of Record at *Westminster*, wherein no *Essoin*, &c. shall be allowed, nor more than one *Impar lance*; and in such Action, &c. it shall be lawful to declare, That the Corporation so making Default, is indebted to the King the Money whereof such Default in Payment shall have been made, according to this Statute, and have not paid the same; which shall be sufficient; and there shall be farther recover'd against the Defendants Damage at 10 *l. per Cent. per Annum*, for the Monies so unpaid, besides full Costs of Suit; and each Corporation so making Default, and its Stock and Effects shall be liable thereto: And if Default shall be made in Payment of the said several Sums of 300,000 *l.* or any Part thereof, by the Space of 30 Days after any of the Days limited; then the King may, by any Instrument or Writing under the Great Seal of *Great Britain*, or Privy Seal, revoke and make void all the Powers, &c. to be granted to that particular Corporation so making Default, and determine the same; and thereupon the said Powers, &c. shall be revoked; and the same Corporation determined, without any Inquisition, *Scire facias*, &c. to make void and determine the same.

IV. *Sect.* 4. Each of the two Corporations shall be obliged, by Force of this Act, and of their respective Charters, to cause such Stock of ready Money to be provided, as shall be sufficient to answer all just Demands on their Policies of Assurance for any Losses that shall happen, and shall satisfy all such Demands: And in Case of Refusal or Neglect, the Parties assured, their Executors, &c. may bring Action of Debt, &c. in which the Plaintiffs may declare, That the same Corporation is indebted to them in the Monies demanded, and have not paid the same, &c. and thereupon shall recover double Damages [*Vide post* Par. XXI.] besides full Costs; and

and the Stock and Effects of the Corporation shall be subject thereto.

V. *Seç.* 5. Each Corporation shall be obliged to raise such Sums as his Majesty in the respective Charters shall direct, not exceeding 1,500,000 *l.* within such Times, by such Proportions, and in such Manner, as by the said Charters shall be appointed; and the Monies so raised, shall be called the Capital Stock belonging to each Corporation.

VI. *Seç.* 6. The respective Corporations, in such general Courts as shall be authorized to be held pursuant to their Charters, may raise such Capital Stocks, either by taking Subscriptions of particular Persons, (being or not being Members of the Corporations) or by Calls of Money from their Members, or by such other Ways and Means, and in such Manner, as to such general Courts shall seem most expedient: And all Subscribers, their Executors, &c. shall have a Share in the said Capital Stock, in Proportion to the Monies they contributed towards making up the same, and a proportional Share in the Advantages attending the said Stock, and shall be admitted Members of the same: But no Person shall be entitled to any greater Share in the Capital or Nominal Stock, than the Money which they shall have paid towards the same.

VII. *Seç.* 7. The Corporations shall have Power in their respective General Courts, to call in from their Members, proportionally to their respective Shares in the Capital, any farther Sums as by such Courts shall be judged necessary; and all Executors, Guardians, &c. shall be indemnified, and are impowered to pay in their respective Proportions of the Money so called for. And in case any Member shall refuse to pay his Share of the Money so called for, at the Times appointed by Notice in the Gazette, and upon the *Royal Exchange*, the respective Corporation may not only stop the Share, Dividends, and Profits which shall become payable to such Member, and apply the same towards Payment of the Money so called for, and which ought to have been paid by such Member so refusing, till the same be satisfied; but also to stop the Transfers of the Shares of every such Defaulter, and charge him with Interest at 8 *l. per Cent. per Annum*, for the Money omitted to be paid, from the Time the same was appointed to be paid till Payment; and the Share of such Defaulter shall be liable to make good the Monies so appointed to be paid, and the Interest thereof: And if the same Principal and Interest shall be unpaid by the Space of three Months, the respective Corporations, or their Courts of Directors, may authorize such Persons as they shall think fit, to sell and assign so much of the Stock of such Defaulter, as will satisfy the same, rendering the Overplus to the Proprietor:

prietor: And the Money so called for and paid in, shall be deemed Capital Stock, and written in the Books of the Corporations; and the Members paying the same, shall have Credit in the said Books for their Proportions thereof. Nevertheless the Corporations, in a General Court, when they judge their Affairs will admit thereof, may cause any Sums so called in, or any Part thereof, to be divided amongst the then Members in Proportion to their respective Shares; and the Shares in the Capital shall be proportionally abated.

VIII. *Seff.* 8. For better enabling the Corporations to lend Money on Parliamentary Securities, they shall have Power to borrow Money upon Bills, Bonds, or Obligations, under their Common Seal, at such Interest, for any Time not less than six Months, as they shall think fit, so as the Principal they borrow, shall not exceed the Principal Monies then owing to them on such Parliamentary Securities, exclusive of the Monies that shall have been advanced on Account of the said several Sums of 300,000 *l.* and all such Bills, &c. shall not be chargeable with any Stamp-Duties.

IX. *Seff.* 9. The Shares of the particular Members in the Capital Stock shall be transferrable, assignable, and deviseable; and their Bills, Bonds, and Obligations shall be assignable and recoverable in such Manner as his Majesty, by the respective Charters, shall prescribe, as well in relation to Shares of Stock, as in Reference to such Bills, &c. And all the Capital Stock, and each Member's Share therein, shall be adjudged a Personal, and not a Real Estate, and shall go to the Executors, or Administrators of the Person dying possessed thereof, and not to the Heir.

X. *Seff.* 10. The Capital Stock, and the Members Shares and Interests therein, shall be exempted from all Taxes by Act of Parliament, or otherwise. And no Governor, Director, or other Officer of the said Corporations, shall for that Cause only be disabled from being a Member of Parliament, nor in Respect of such Share be adjudged liable to be a Bankrupt; and no Stock in the Corporations shall be subject to any foreign Attachment by the Custom of *London*, or otherwise.

XI. *Seff.* 11. His Majesty by the said Charters may grant to each of the Corporations Power to make By-Laws and Ordinances; and such farther Powers, Authorities, Privileges, and Advantages, relating to the Assurance of Ships, &c. or lending Money upon Bottomry, as to him shall seem meet; and subject the same Corporations, and the said Powers, &c. so granted them, to such Restrictions and Regulations as to his Majesty shall seem most expedient, and in the Charters shall be expressed.

XII. *Señ. 12.* After the granting the respective Charters, and passing the same under the Great Seal, all other Corporations before this Time erected, or hereafter to be erected, whether Sole or Aggregate, and all Societies and Partnerships as now are, or hereafter shall be enter'd into, for assuring Ships or Merchandizes at Sea, or for lending Money upon Bottomry, shall be restrained from granting, signing, or under-writing any Policies of Assurance, or making any Contracts for Assurance of Ships, Goods, or Merchandizes at Sea, or going to Sea, and from lending Money by Way of Bottomry: And if any Corporation, or Persons acting in such Society or Partnership, (other than one of the two Corporations intended to be established by this Act) shall grant, sign, or under-write after 24 June 1720, any such Policy, or make such Contract for Assurance of Ships, &c. or take or agree to take any Premium for such Policies; every such Policy shall be *ipso facto* void, and every Sum so under-written in such Policy shall be forfeited, and may be recovered, *viz.* One Moiety to the Use of the Crown, the other to the Person who shall inform or sue for the same, in any Court of Record at *Westminster*, in which Action, &c. no *Essoin*, &c. or more than one *Imparance* shall be granted. And if any Corporation, or Persons acting in such Society or Partnership, other than the two Corporations, &c. shall presume or agree to lend or advance by themselves or others, after the said 24 June 1720, any Money by Way of Bottomry contrary to this Act, the Bond, or other Security for the same, shall be *ipso facto* void; and such Agreement shall be adjudged to be an usurious Contract, and the Offenders therein shall suffer as in Cases of Usury: Nevertheless any private or particular Person shall be at Liberty to under-write any Policies, or engage himself in Assurances upon Ships, &c. or may lend Money by Way of Bottomry, as fully and beneficially as if this Act had never been made; so as the same be not on the Account or Risque of a Corporation, or of Persons acting in a Society or Partnership.

XIII. *Señ. 13.* If any Person shall forge or counterfeit the Common Seal of either of the Corporations, or counterfeit or alter any Policy, Bill, Bond, or Obligation under the Common Seal of either of the same Corporations, or shall offer to dispose of, or pay away any such counterfeited or altered Policy, &c. knowing the same to be such; or shall demand the Money therein contained, or any Part thereof, of either of the same Corporations, or any of their Officers, knowing such Policy, &c. to be counterfeited, &c. with Intent to defraud the same Corporation, or any other Person; every such Offender being convicted thereof, shall be guilty of

of Felony, and suffer as in such Cases without Benefit of Clergy.

XIV. *Seff.* 14. No Person shall be capable of being elected a Governor, Sub-Governor, Deputy-Governor, or Director of either of the said Corporations, during the Time he shall be Governor, &c. of the other Corporation. And if any Governor, &c. or Member of either of the said Corporations, having any Share in the Capital Stock of that Corporation, shall in his own Name, or in the Name of any other Person in Trust for him, purchase any Share in the Capital Stock of the other Corporation, the Share so purchased shall be forfeited, one Moiety to the Use of the Crown, the other to the Informer or Prosecutor, to be recovered as before mentioned.

XV. *Seff.* 15. Upon three Years Notice to be printed in the Gazette, and affixed upon the *Royal Exchange*, by Authority of Parliament, at any Time within 31 Years to be reckoned from the respective Dates of the two Charters, and upon Payment by Parliament to the Corporations, of the said respective Sums of 300,000 *l.* without any Interest, then the Corporations, and all Powers, &c. to them granted, shall cease and become void. And any Vote or Resolution of the House of Commons, signified by the Speaker in Writing, to be inserted in the Gazette, and affixed on the *Royal Exchange*, shall be deemed sufficient Notice within the Meaning of this Act.

XVI. *Seff.* 16. If at any Time after the Expiration of the said Term of 31 Years, his Majesty shall judge the farther Continuance of the said two Corporations to be hurtful or inconvenient to the Publick; then it shall be lawful for him, by Letters Patents under the Great Seal, to revoke and make void the same Corporations, and all the Powers, &c. granted them; and thereupon the same shall become void accordingly, without any Inquisition, *Scire facias*, &c. to make void the same.

XVII. *Seff.* 17. In Case the said Corporations shall be redeemed upon such Notice and Payment, within 31 Years, or be revoked by such Letters Patents after 31 Years, the same Corporations, or any Corporation with like Powers, &c. shall not be grantable again to any Persons or Corporation whatsoever, but shall remain suppress'd for ever, as having been found inconvenient and prejudicial to the Publick.

XVIII. *Seff.* 29. If any Governor, Sub-Governor, Deputy-Governor, Director, or Member of either of the Corporations, shall, on the Account of the said Corporations, advance or lend to his Majesty any Sums of Money by Way of Loan or Anticipation, on any Part, Branch, or Fund of the Revenues now granted, or hereafter to be granted to his

his Majesty, other than such Funds only on which a Credit of Loan is or shall be granted by Parliament, then the said Governor, &c. or other Members consenting to such Loan, being convicted thereof, shall for every Offence forfeit treble the Value of the Sums so lent; one fifth Part to the Informer, to be recovered in any Court of Record at *Westminster*, by Action of Debt, &c. wherein no Protection, &c. shall be allowed, nor more than one Imparlance; and the Residue to be disposed of to publick Uses, as shall be directed by Parliament.

XIX. Stat. 7 G. c. 27. Sect. 26. The several Sums of 50,000 l. which by the Tenors of Charters relating to the Assurances of Houses and Goods from Fire, were intended to be paid by the respective Corporations called *The London Assurance*, and *The Royal Exchange Assurance*, within 9 Months after the Dates of the same Charters; and the several Sums of 50,000 l. which by the Tenors of the same Charters were intended to be paid by the said Corporations within 15 Months after the Dates thereof; and the several Sums of 50,000 l. which by the Tenors of the same Charters were intended to be paid by them within 21 Months after the Date thereof; (all which Sums amount in the whole to 300,000 l.) and all Actions, Suits, Executions, and Demands whatsoever concerning the same, shall, by Virtue of this Act, (after Payment of the several Sums of 38,750 l. of which the said Corporations have secured the Payment, and after redeeming the Securities for the same) be for ever released and discharged.

XX. Stat. 8 G. c. 15. Sect. 24. So much of the Act 6 G. c. 18. as subjects the Corporations of the *Royal Exchange Assurance*, and the *London Assurance*, to pay double Damages, besides full Costs of Suit, is hereby repealed: And in all Cases where, by the said Act or their Charters, the said Corporations are subjected to pay double Damages, besides full Costs of Suit, the Plaintiffs shall recover against them only single Damages, and full Costs of Suit.

Bankrupt.

I. Stat. 6 G. c. 22. Sect. 25. Any one or more of the Judges 8762.348.
of the Court wherein Judgment has been obtained against a Bankrupt, taken in Execution, and detained in Prison, may, on such Bankrupt's producing a Certificate allowed and confirmed, and entered of Record, according to the
VOL. VI. D Directions

Directions of the Act 5 G. c. 24. order any Sheriff, Bailiff, or Officer, Gaoler and Keeper of any Prison, who shall have any Bankrupt in Custody by Virtue of such Execution, to discharge such Bankrupt out of Custody, without Payment of any Fee. And such Sheriff, &c. is required to discharge him accordingly, and is indemnify'd from any Action for an Escape for so doing.

II. Stat. 7 G. c. 31. Sect. 1. Persons who have given Credit, or shall hereafter give Credit for Goods and Merchandizes sold, and have or shall take Bills, Bonds, Promissory Notes, or other Persons Securities for their Monies payable at the End of three, four, or six Months, or other future Days of Payment, and the Buyers of such Goods shall become Bankrupts before the Money upon such Bonds, &c. shall become payable, such Persons so giving Credit, upon a good and valuable Consideration, for any Sum of Money, or other Thing whatsoever, which shall not be due before the Time of such Persons becoming Bankrupt, shall be admitted to prove their Bills, &c. in like Manner as if they were made payable presently, and not at a future Day, and shall be entitled to, and receive a proportionable Share and Dividend of such Bankrupt's Estate, in Proportion to the other Creditors, deducting only a Rebate of Interest, and discounting such Securities payable at future Times, after the Rate of 5 l. per Cent. per Annum, for what he shall so receive, to be computed from the actual Payment thereof, to the Time such Debt would have become due and payable by such Securities.

III. Sect. 2. Every Person who now is or shall become Bankrupt, shall be discharged from every such Bond, Note, or other Security, and shall have the Benefit of the several Statutes in Force against Bankrupts, in like Manner as if such Money had been due before the Time of his becoming a Bankrupt.

IV. Sect. 3. Provided, No such Creditor shall be deemed a sufficient Creditor, in Respect of such Debt, to petition, or join in any Petition, for the suing forth any Commission of Bankruptcy, till such Time as such Debt shall become actually due and payable.

Bath.

I. Stat. 7 G. c. 19. Sect. 13. Nothing in this Act shall extend to alter or make void any of the Clauses contained in the (private) Act 6 A. c. 1. relating to the surveying, ordering, repairing, cleansing, enlightening, and amending the Streets, Gravel-

Gravel-Walks, and publick Places within the City of *Bath*, and for regulating the Chairmen there; but the same, and all the Authorities, Penalties, &c. therein contained, shall remain in full Force during the Term of 21 Years, (to be computed from 1 *May* 1721) as if this Act had never been made.

II. *Señ.* 14. After the said 1 *May* 1721, all Chairmen that are or shall be licensed by the Mayor and Aldermen of *Bath*, shall keep such Stands or Places with their Chairs, as the Mayor and Justices of the said City, or any two of them (whereof the Mayor to be one) shall by Writing under their Hands direct and order: Which Writing shall be affixed upon the *Guildhall*, and upon the *Pump-House* in the said City; and if any Chairman shall after such Notice offend therein, he shall for every Offence forfeit 10 s. to be levied and disposed of in such Manner, as any other Penalties on Chairmen so licensed are to be levied, &c. by Virtue of the same former Act.

Beaver-Skins.

I. *Stat.* 8 G. c. 15. *Señ.* 13. Whereas Beaver-Skins imported, are valued in the Book of Rates at 6 s. 8 d. per Skin, according to which the Duties now payable upon every such Skin, do amount as follows, viz. For the old Subsidy 4 d. for the further Subsidy 4 d. for the one third Subsidy 1 d. and one third Part of a Penny; for the two third Subsidy 2 d. and two third Parts of a Penny, and for the additional Impost 4 d. amounting to 16 d. per Skin: Now farther enacted, That after 25 *March* 1722, the Duties on Beaver-Skins imported, shall be computed and paid, as if they had been valued in the Book of Rates at 2 s. 6 d. per Skin, according to which Rate there shall be paid for every Beaver-Skin imported 6 d. and no more, which shall be applied to the said several Subsidies and additional Impost, in such Proportions as 16 d. bears to 6 d.

II. *Señ.* 14. On the Exportation of Beaver-Skins within the Time allowed by Law, for which the Duties have been paid or secured, there shall be allowed a Drawback of the Moiety of the Duties, and no more; which Drawback shall be made according to such Rules as Drawbacks are allowed by any Law relating to the Customs.

III. *Señ.* 19. The reduced Duties on Beaver-Skins imported, &c. shall have the like Continuance, and be raised, &c. as the present Duties are.

IV. *Señ.* 20. The several Sums arising from these reduced Duties, shall be applied to the same Uses as the present

Duties are : And all the Powers, &c. in former Acts, shall be continued as fully as if here again repeated.

V. *Señ. 23.* All Beaver-Skins and other Furs of the Product of the *British* Plantations in *America, Asia, or Africa*, shall, after 25 *March* 1722, be imported directly from thence into *Great Britain*, and laid on Shore there, and not elsewhere, under the Penalties, &c. in 12 *Car. 2. c. 18.* in Relation to Sugars, Tobacco, and other enumerated Goods of the Growth of the *English* Plantations; to be recovered and distributed in such Manner as the Penalties, &c. relating to the said enumerated Goods are by the said Act to be recovered, &c.

Books.

I. *Stat. 9 G. c. 19. Señ. 6.* The Duties payable *ad Valorem*, by several Acts of Parliament, for all Books bound, imported after 24 *June* 1723, shall cease; and instead thereof there shall be paid for all bound Books imported into *Great Britain*, after the said 24 *June*, 14 *s.* for every Hundred Weight, and so in Proportion. To be paid in ready Money by the Importers before landing.

II. *Señ. 7.* The said Duty shall be raised, &c. by such Rules, &c. and under such Penalties, as the Duties hereby taken away, might have been raised, &c.

III. *Señ. 8.* The Duty shall be appropriated (the necessary Charges of Management deducted) as near as may be, to the same Uses to which the former Duties were applicable.

IV. *Señ. 9.* The Duty hereby charged, shall be redeemable by Parliament, in the same Manner as the former Duties were; and in all Cases where the former Duties were to cease, the Duties hereby granted, or a proportional Part thereof, shall determine.

Brandy. Arrack. Rum. Spirits. Strong Waters.

I. *Stat. 6 G. c. 21. Señ. 11.* On or before 1 *Aug.* 1720, all Distillers, Makers, or Sellers of, or Dealers in Brandy, Arrack, Rum, Strong Waters or Spirits, *British* or Foreign, either by Wholesale or Retail, shall make true and particular Entry in Writing, of all Warehouses, Storehouses, Rooms, Shops, Cellars, Vaults, and other Places by them made use of for the keeping of Brandy, &c. for Sale, at the Office of Excise, within the Limits whereof such Warehouses, &c. shall be situated, and of all Brandy, &c. which at the Time
of

of making such Entries, shall be in such Warehouses, &c. on Forfeiture of 20*l.* for every such Warehouse, &c. so made Use of by such Distiller, &c. without making such Entry thereof, together with the Brandy, &c. found therein, and also the Casks and Vessels containing the same.

II. *Seçt.* 12. And all other Persons, who after the said 1 Aug. 1720, shall become Distillers, &c. shall before they take any such Brandy, &c. into their Custody or Possession, make the like Entry of the several Warehouses, &c. intended by them to be made Use of for the keeping of Brandy, &c. on Forfeiture of 20*l.* for every such Warehouse, &c. made Use of by such Distiller, &c. without making such Entry, together with the Brandy, &c. found therein, and all the Casks, &c. containing the same.

III. *Seçt.* 13. No Brandy, &c. shall be brought to such Warehouse, &c. without first giving Notice to the Officer of Excise of the Division, and producing and leaving with him an authentick Certificate, that the Duties chargeable on all the said Brandy, &c. have been actually paid, or that the same has been condemned as forfeited, or was Part of the Stock of some Importer, Distiller, &c. of which an Account had been taken pursuant to this Act, and expressing the Quantity and Quality thereof, and at what Port the Duties were paid, or the Brandy, &c. condemned, or of whose Stock the same was Part, on Forfeiture of the Brandy, &c. together with the Casks and Vessels containing the same.

IV. *Seçt.* 14. The Officers of Excise may at all Times by Day and by Night (and if by Night, in the Presence of a Constable, or other Peace-Officer) enter into the said Warehouses, &c. made Use of by any Distiller, &c. and by tasting, gauging, or otherwise, take Account of the Quantity and Quality of all such of the said Liquors as shall at any Time be in their Custody: And if any Distiller, &c. shall hinder or refuse the said Officers to enter his Warehouse, &c. or let or obstruct them in the Execution of the Powers by this Act given them, he shall forfeit 50*l.* for every such Offence.

V. *Seçt.* 15. No Brandy, &c. shall be sold or exposed to Sale, either by Wholesale or Retail, but when the same shall be in some of the Warehouses, &c. so enter'd, on Pain of forfeiting 40*s.* for every Gallon of Brandy, &c. sold or exposed to Sale, in any other Place than those so enter'd; and so proportionably.

VI. *Seçt.* 16. Where any Brandy, &c. shall be sold in the said entered Places, in great or small Quantities, the Officer of Excise of the Division shall be obliged upon the Request of the Seller, without Fee or Reward, to give the respective Buyers thereof Certificates in Writing, signed by

the said Officer, expressing the Quantities so sold, the Names of the Buyers and Sellers thereof, and that the Duty has been paid, or that the said Brandy, &c. has been condemned as forfeited, or was Part of such Stock as aforesaid, to satisfy the Officers of the Excise of the Division to which the same is to be carried, that the Seizing thereof may be thereby prevented.

VII. *Seft.* 17. No Brandy, &c. exceeding the Quantity of one Gallon, shall be removed or carried from any Part of this Kingdom to another, by Land or by Water, without a Permit or Certificate from one of the Officers of the Customs or Excise, signifying and certifying the Quantity and Quality thereof, and that the Duties have been satisfy'd, or that the same had been condemned, or was Part of such Stock as aforesaid; on Pain of forfeiting the Brandy, &c. so found carrying without such Permit, and the Casks containing the same.

VIII. *Seft.* 18. Every Person who shall have in his Custody any Brandy, &c. exceeding the Quantity of 63 Gallons, shall be deemed a Seller of, and Dealer in Brandy, &c. and subject to the Survey of the Officers of Excise.

IX. *Seft.* 19. The Penalties and Forfeitures by this Act given on Account of Brandy, &c. shall be sued for, recover'd, or mitigated, by the same Ways, &c. as any Penalty, &c. by any of the Laws of Excise may be sued for, &c. and one Moiety thereof, (the Charges of suing for, &c. being first deducted) shall be to the King, and the other to him who shall seize, inform, or sue for the same.

X. *Seft.* 20. After 1 Aug. 1720, where any Brandy, &c. shall be seized as forfeited, by Virtue of this or any other Act relating to his Majesty's Revenues of Customs or Excise, by any Officers of either of the said Revenues, (except in every Case where the Seizure shall be made for unlawful Importation, and the whole Quantity of Brandy, &c. at any one Time for that Cause seized, doth exceed 63 Gallons) shall, in a summary Way, be proceeded upon, heard, and determined in the Manner herein after mentioned, *viz.* In Case such Seizures be made in any Place within the immediate Limits of the chief Excise-Office in London, the same shall be proceeded upon, and determined in a summary Way, by the Commissioners of Excise, or the major Part of them; and if such Seizure shall be made without the Limits of the said Excise-Office in London, then the same shall be heard, &c. by and before two or more Justices of the Peace residing near the Place where such Seizure shall be made: Which Commissioners and Justices shall cause the Persons in whose Custody such Brandy, &c. was found at the Time of the Seizure thereof, to be summon'd to appear before them

them at a certain Time and Place, and upon their Appearance or Default, to examine into the Cause of the Seizure, and thereupon to proceed to give Judgment for the Condemnation of such Brandy, &c. and of the Casks, &c. and to issue out their Warrants for Sale thereof; and such Judgments shall be good in Law, and final, not liable to any Appeal, or to be removed by *Certiorari*.

XI. *Seff.* 21. Where any such Brandy, &c. (except as before) shall be seized as forfeited, and no Person within 20 Days after, appears to the Officer who made such Seizure, to claim the same, then if such Seizure shall be made within the Limits of the chief Office of Excise in *London*, the Officer who made the Seizure, may, after the Expiration of the said 20 Days, cause Notice in Writing to be signed by the Solicitor of the Excise, to be affixed at the *Royal Exchange*, signifying the Day, and Time of the Day, that the Commissioners of Excise will proceed to hear the Matter of such Seizure, and to Condemnation of the Brandy, &c. And if such Seizure be made out of the Limits of the said chief Office of Excise, the Officers who shall make such Seizure, may, after the Expiration of 20 Days next after, cause publick Notice to be given by Proclamation at the next Market-Town to the Place of Seizure, on the next Market-Day after the Expiration of the said 20 Days, of the Day and Place, when and where the Justices will proceed to hear the Matter of such Seizure, and to the Condemnation of such Brandy, &c. In which Cases the said Commissioners and Justices respectively, are to proceed to examine into the Cause of such Seizures, and to give Judgment for the Condemnation of such Brandy, &c. as on Examination shall appear to be forfeited, and of the Casks, &c. Which Judgments shall be good and valid in Law, and final, as if the Owners of the same Brandy, &c. or the Persons in whose Custody the same was at the Time of Seizure, had been summoned to attend the said Commissioners and Justices, and shall not be liable to any Appeal, or to be removed by *Certiorari*.

XII. *Seff.* 29. If any foreign Brandy, &c. shall, after 1 *Aug.* 1720, be imported into *Great Britain*, in any Ship, Vessel, or Boat, of the Burden of 30 Tuns or under (except only one Gallon for the Use of each Seaman on board such Ship, &c.) every such Ship, &c. with her Tackle, Furniture, and Apparel, and also all such Brandy, &c. or the Value thereof, shall be forfeited, and may be seized by any Officer of the Customs, and prosecuted by Bill, Complaint, &c. in any Court of Record at *Westminster*, or in the Exchequer in *Scotland*, wherein no *Essoin*, &c. shall be allow'd; one Moiety of which Forfeiture shall be to the Crown, the other to the Seizor or Prosecutor. *Vide postea*, Par. XVII.

XIII. Sect. 30. After Seizure and Condemnation of such Ship, &c. the same shall be entirely broke up, and publickly sold to the best Advantage, together with the Tackle, &c. and the Produce thereof divided in like Manner, as the Ships, &c. under 15 Tuns, are to be broke up, sold, and the Produce thereof divided by Virtue of 5 G. c. 11. (*Vide Vol. 3. Tit. Customs.*)

XIV. Sect. 31. After 1 Aug. 1720, where any Ship or Vessel of the Burthen of 50 Tuns, or under, being in Part or fully laden with Brandy, shall be found at Anchor, or hovering within two Leagues from the Shore, and not proceeding on her Voyage, Wind and Weather permitting, the Commander of any of his Majesty's Ships of War, Frigates, or armed Sloops, appointed for the Guard of the Coasts, or the Commander of any Yatch, Smack, Sloop, or other Boat or Vessel in the Service of his Majesty's Customs, or any Officer of the Customs, may compel the Master or other Person having Charge of such Ship, to come into Port; and such Master, &c. as also such Ship, and the Brandy where-with laden, shall be subject to the same Rules, Penalties, &c. as such Cargoes and Vessels, and the Masters or others taking Charge thereof, which hover within the Limits of any Part of this Kingdom, are by the said Act subjected to.

XV. Sect. 32. If the Master, Purser, or other Person taking Charge of such Ship, shall suffer any Brandy, or other uncustomed or prohibited Goods, to be put out of the said Ship into any Hoy, Lighter, Boat, or Bottom, to be laid on Land; or shall suffer any Wool, Wool-Fells, Mortlings, Shortlings, Yarn made of Wool, Wool-Flocks, Fullers-Earth, Fulling Clay or Tobacco-Pipe-Clay, to be taken in from the Shore, to be put on Board such Ship, the Offender being convicted thereof, shall, besides the Penalties and Forfeitures to which he will be liable by any Law now in Being, suffer six Months Imprisonment without Bail or Mainprize.

XVI. Sect. 33. And for preventing Disputes that may arise concerning the Admeasurement of Ships laden with Brandy, &c. or Ships hovering on the Coast, the following Rules shall be observed, *viz.* Take the Length of the Keel within Board, (so much as she treads on the Ground) and the Breadth within Board by the Midship Beam, from Plank to Plank, and half the Breadth for the Depth; then multiply the Length by the Breadth, and that Product by the Depth, and divide the whole by 94, the Quotient will give the true Contents of the Tonnage; according to which Rule the Tonnage of all such Ships shall be ascertained.

XVII. Stat.

XVII. Stat. 8 G. c. 18. Sect. 1. If any foreign Brandy, Arrack, Strong Waters, or Spirits of any Kind, shall, after 25 March 1722, be imported into Great Britain, or into any Port, Harbour, Haven, or Creek thereof, in any Ship, Vessel, or Boat, of the Burthen of 40 Tuns or under, according to the Admeasurement in 6 G. c. 21. (*Vide Supra*, Par. XIV.) except only two Gallons for the Use of each Seaman belonging to and on Board such Ship, &c. every such Vessel, with her Tackle, &c. as also all such Brandy, &c. or the Value thereof, shall be forfeited, and shall and may be seized by any Officer of the Customs, and prosecuted and divided as is prescribed in 5 G. c. 11. and 6 G. c. 21. concerning Ships, &c. of 15 or 30 Tuns.

XVIII. Sect. 2. After Seizure and Condemnation of any such Ship, &c. the principal Officers of the Customs in the Port or Place where the same shall be at the Time of such Condemnation, are to cause the Hull of such Ship, &c. to be burnt, and the Tackle, &c. to be publickly sold to the best Advantage, and the Produce thereof to be divided, as herein after is mentioned, the reasonable Charges of prosecuting, selling, and burning, being first deducted.

XIX. Sect. 11. After 25 March 1722, all Dealers in foreign Brandy, Spirits, or Strong Waters, who shall receive into their Custody any *British* Spirits or Strong Waters, shall keep the same apart, and in separate Cellars, Vaults, or other Places, from their foreign Brandy, &c. on Pain of forfeiting 10*s.* for every Gallon which shall be found in any Vault, &c. where they shall keep any foreign Brandy, &c. together with the Casks, &c. wherein the same *British* Spirits shall be found.

XX. Sect. 12. In Case any Officer of the Excise shall find any Increase of foreign Brandy, &c. in the Hands of any such Dealer, over and above the Quantity he found at the Time of his last preceding Survey, such Increase shall be deemed to be made by foreign Brandy, &c. for which no Duties were paid, and which had been privately brought by such Dealer into the Place where such Increase shall be found, without Permit or Certificate of the Payment of the Duty, or any previous Entry or Notice to any Officer of the Excise of bringing the same; and so much of the said foreign Brandy, &c. as shall be found so increased, shall, together with the Cask, &c. be forfeited, and may be seized by such Officer, unless the Owner shall make it appear, that such Increase was made either by mixing some of his Stock of *British* Spirits, whereof the Officer had taken an Account, with his foreign Brandy, &c. in the Presence of the Officer of Excise of the Division where the said Increase shall be found;

or

or by foreign Brandy, &c. brought into the Place, with Permit or Certificate of the Payment of the Duties, or that the same had been formerly condemned, or was Part of some Person's Stock in Hand on 1 *Aug.* 1720, and that due Notice was given to the Officer of bringing in the same before it was brought in.

XXI. *Seff.* 13. After 25 *March* 1722, no foreign Brandy, &c. altho' the same be under the Quantity of one Gallon, shall be received into the Custody of a Retailer of foreign Brandy, &c. or any Person for his Use, without a Permit or Certificate, signed by some Officer of the Customs or Excise, signifying that the Duties were paid or secured, or that the same had been condemned as forfeited, or was Part of some Person's Stock in Hand on 1 *Aug.* 1720, on Forfeiture of the Brandy, together with the Casks, &c.

XXII. *Seff.* 15. If any Person shall, after 25 *March* 1722, be guilty of any Offence, contrary to this or any other Act made for the preventing clandestine Running of Brandy, or other customable or prohibited Goods, or of receiving such Goods into his Custody, knowing the same to be so run, he may be prosecuted by Action, Bill, &c. and thereupon a *Capias* in the first Process, specifying the Sum of the Penalty sued for, may issue; and such Person shall be obliged to give sufficient Bail, by natural-born Subjects or Denizens, to the Persons to whom such *Capias* shall be directed, to appear in the Court out of which it shall issue, at the Day of the Return of such Writ, to answer such Suit; and shall likewise at the Time of such appearing, give sufficient Bail by such Persons as aforesaid, to answer all the Forfeitures and Penalties incurred for such Offence, in Case he be convicted thereof; or to yield his Body to Prison.

XXIII. *Seff.* 23. The Penalties and Forfeitures in this Act shall be prosecuted by Bill, &c. in any Court of Record at *Westminster*, or in the Court of Exchequer at *Edinburgh* (except where it is in this Act otherwise directed; and one Moiety shall be to the Crown, the other to the Prosecutor.

XXIV. *Seff.* 24. For clearing all Doubts that have arisen concerning the Seizing of such Brandy, Arrack, Rum, Spirits, and Strong Waters, as well Foreign as *British*, and also of such foreign exciseable Liquor, as by Acts now in Force are in several Cases declared to be forfeited; It is enacted, That every of the said Liquors which have been, are, or hereafter shall be forfeited by any Acts now in Force, or hereafter to be made, together with the Casks, Bottles, Vessels, or other Package containing the same, ought to be, and shall and may be seized by any Officer of the Customs or Excise, or by Persons deputed and authorized by Warrant from the Lord Treasurer or Under-Treasurer, or by special Commission

sion from his Majesty under the Great or Privy Seal; but by none other whatsoever.

XXV. *Seff.* 25. If any Person shall assault, resist, oppose, molest, or hinder any Officer of Customs or Excise, in the Seizing any Brandy, &c. either Foreign or *British*, or any foreign exciseable Liquors, which may be seized by such Officers, by Virtue of this or any other Acts now in force, or hereafter to be made; or shall, by Force or Violence, rescue, or procure to be rescu'd, any Brandy, &c. after seized by such Officers, or shall attempt so to do; or shall, at or after such Seizure, steal, break, or otherwise destroy or damage, any Cask, Vessel, or Bottle, containing such Brandy, &c. the Offender shall, for every Offence, forfeit 40*l.*

XXVI. *Seff.* 26. If any Action be brought against any Person for any Thing done in Pursuance of this Act, the Defendant may plead the general Issue, &c. and on a Verdict, &c. shall recover treble Costs.

XXVII. *Seff.* 27. This Act shall continue in Force for two Years, commencing from 25 *March* 1722, and from thence to the End of the next Session of Parliament.

Bread.

I. Stat. 10 G. c. 17. *Seff.* 3. The Act 8 A. c. 18. *To regulate the Price and Assize of Bread*, with such Alterations as were made by 1 G. c. 26; which by 5 G. c. 25, was continued, and is now near expiring, shall be further continued from the Expiration thereof, for seven Years, and from thence to the End of the then next Session of Parliament.

Buttons and Button-holes.

I. Stat. 7 G. c. 12. *Seff.* 1. After 29 *Sept.* 1722, it shall not be lawful for any Person within *Great Britain*, to use or wear on any Cloaths, Garments, or Apparel whatsoever, any Buttons or Button-holes, made of, or bound with Cloth, Serge, Drugget, Frize, Camlet, or any Stuffs, whereof Clothes or Wearing Garments are usually made: And if any Person shall use or wear such Buttons or Button-holes, being convicted thereof in Manner hereafter mentioned, he shall forfeit for every Dozen of such Buttons or Button-holes, 40*s.* and in Proportion for a lesser Quantity.

II. *Seff.* 2. It shall be lawful for one or more Justices of the Peace for the County, Riding, City, Town, or Place, where any Offence shall be committed against this Act, or where such Offender shall inhabit, (and such Justices are required upon any Complaint or Information upon the Oath of one

one or more credible Persons) to summon the Party accused, and upon his Appearance or Contempt, to proceed to the Examination of the Matter of Fact, and on due Proof made, either by Confession of the Party, or such Oath as aforesaid, of any Offence contrary to this Act, to determine the same, and to convict the Offender; and upon Conviction to cause the Penalties on the Offender refusing to pay the same on Demand, by Warrant under their Hands and Seals, to be levied by Distress and Sale of such Offenders Goods, rendring the Overplus after deducting the Charges of such Distress and Sale: One Moiety of the Forfeiture to be to him on whose Oath the Person shall be convicted, and the other to the Poor of the Parish where such Offence shall be committed.

III. *Seff. 3.* Persons agrieved by the Order, Determination, or Warrant of such Justice or Justices, may appeal to the Justices at the next Quarter-Sessions to be holden for the County, &c. where the Offence shall be committed, giving eight Days Notice at least to the Prosecutor; which Justices at the said Sessions are to hear and determine the same, and their Judgment therein shall be final.

IV. *Seff. 4.* All Offences against this Act shall be prosecuted within one Month after such Offence committed, and not after.

V. *Seff. 5.* This Act shall not extend to Clothes or Wearing Apparel made of Velvet.

VI. *Seff. 6.* Persons sued may plead the general Issue, &c. and on a Verdict, &c. recover treble Costs.

VII. *Seff. 7.* This Act shall be taken to be a Publick Act in all Courts within *Great Britain*, and all Judges and Justices are required to take Notice thereof as such, without special Pleading the same.

Callico.

I*S*tat. 7 G. c. 7. *Seff. 1.* After 25 December 1722, it shall not be lawful for any Person to use or wear in *Great Britain*, any printed, painted, stained, or died Callico, under the Penalty of forfeiting to the Informer 5*l.* for every Offence, being lawfully convicted thereof by the Oath of one or more Witnesses, before one or more Justices of the Peace, who are authorized and enjoined, upon any Complaint exhibited of such Offence, within six Days after the Commitment thereof, to summon the Party accused; and upon his Appearance or Contempt, to proceed to Examination of the Matter

Matter of Fact; and on due Proof thereof, either by Confession of the Party, or by the Oath of one or more Witnesses, to hear and determine the same; and upon Conviction to cause the Penalty, by Warrant under his Hand and Seal, to be levied by Distress and Sale of the Offender's Goods, rendring the Overplus, the Charge of such Distress and Sale being first deducted: Nevertheless any Party agrieved may appeal to the Justices at the next Quarter-Sessions for the County, &c. giving six Days Notice at least to the Prosecutor; and the said Sessions are impower'd to hear and determine the same, and their Judgment shall be final.

II. *Seff. 2.* If any Mercer, Draper, Upholder, or any other Person or Corporation whatsoever, shall after the said 25 Dec. 1722, sell or expose to Sale any printed, &c. Callico, or any Bed, Chair, Cushion, Window-Curtain, or other Householdstuff or Furniture, made up of, or mixed with any printed, &c. Callico, unless for Exportation thereof, and that the same be cleared outwards accordingly, as is usual in Case of Sale for Exportation, every such Person or Corporation so offending, shall, for every Offence, being lawfully convicted thereof, forfeit 20 l. And every Steward or other Officer of such Corporation, or his Deputy, offending herein, shall, over and besides the said Penalty, forfeit and lose his Office, and be incapable to hold the same.

III, *Seff. 3.* After the said 25 Dec. 1722, it shall not be lawful for any Person to use or wear in *Great Britain*, in or about any Bed, Chair, Cushion, Window Curtain, or any other Sort of Householdstuff or Furniture, any printed, &c. Callico, (except as herein after is excepted) on Penalty of 20 l.

IV. *Seff. 4.* One Moiety of all pecuniary Penalties and Forfeitures hereby imposed, where the same shall exceed 5 l. shall be to the Informer or Prosecutor, and the other Moiety to the Poor of the Parish, or Place where the Offence shall be committed: And such Penalties as are not herein directed to be otherwise recovered, shall be recovered by Action of Debt, &c. in any Court of Record at *Westminster*, for Offences committed in *England, Wales, or Berwick*; or in the Courts of Session, Justiciary, or Exchequer in *Scotland*, for Offences committed in that Part of *Great Britain*, together with full Costs, by any Person who shall sue for the same within six Calendar Months after the Offence committed; and in any such Action no Effoin, &c. shall be allowed, nor more than one Imparlance

V. *Seff. 5.* If any Person convicted of any Offence against this Act, shall be shelter'd or reside in any pretended Privileged Place, every such Offender may be taken from thence by Warrant under the Hand and Seal of any of the Justices
of

of the Court of King's Bench, Common Pleas, or Barons of the Exchequer, in England, Wales, or Berwick; or of any of the Lords of Session, Judges of the Court of Justiciary, or Barons of the Exchequer in Scotland; and shall by any such Justice, Lord of Session, Judge or Baron, be committed to the common Gaol of the County or Place where the Offence was committed, there to remain without Bail or Mainprize, till Payment of all Penalties imposed by this Act, with full Costs.

VI. *Seff.* 6. This Act shall not extend to any Callicoes which have already been, or before 25 Dec. 1722, shall be made up or used in any Bed, &c. Provided the same be continued to be worn and used in such Furniture, and not otherwise.

VII. *Seff.* 7. Nor shall this Act extend to repeal, make void, or alter any Law now in Force for prohibiting Callicoes printed, painted, stained, or dyed in foreign Parts, or for prohibiting any other Goods whatsoever.

VIII. *Seff.* 8. All Persons and Bodies Corporate, who shall, on or before 25 Dec. 1722, export any Callicoes, shall be entitled to, and have such and the same Advantages on Exportation thereof, as if the same had been exported within twelve Months after the Importation.

IX. *Seff.* 9. Persons sued for any Thing done in Pursuance of this Act, may plead the General Issue, &c. and shall have treble Costs, &c.

X. *Seff.* 10. The Prohibition of Callicoes intended by this Act, and the Penalties thereby inflicted for wearing or using printed, &c. Callico in Apparel or Furniture, after 25 Dec. 1722, shall extend to prohibit, and shall be levied and recovered for wearing or using in Apparel or Furniture, after the said 25 Dec. 1722, any Stuff made of Cotton, or mixed therewith, which shall be printed or painted with any Colours, or any Callico chequered or striped, or stitched or flowered in foreign Parts with any Colours, or with coloured Flowers made there, (Muslins, Neckcloths, and Fustians excepted) in such Manner as the Penalties hereby inflicted for wearing or using printed, &c. Callico, contrary to this Act, are to be levied and recovered; but under such Limitations, and with such Liberties, Privileges, and Advantages, as are expressed in this, or any other Act now in Force relating thereto, or to printed, &c. Callicoes.

XI. *Seff.* 11. Nothing in this Act shall extend to such Callicoes as shall be dyed all blue.

XII. *Stat.* 10 G. c. 11. *Seff.* 1. The Act 11 & 12 W. 3. c. 10. or any Thing therein contained, shall not extend to any Silks, Bengals, or Stuffs, mixed with Silk, or Herba, or painted,

Painted, died, printed, or stained Callicoes, manufactured in *Persia, China, or East India*, which were made up or used in Furniture or Household-stuff, before 25 Dec. 1722.

Cards and Dice.

I. Stat. 6 G. c. 21. Sect. 55. If any Person, after 1 Aug. 1720, shall fraudulently cut, tear or get off any Mark or Stamp, in Respect whereof any Duties are payable, or denoted to be paid, on Playing Cards; or shall file, square, or new-spot any Dice which have been sold or play'd with; or shall fraudulently enclose any Parcel or Pack of Playing Cards in any Outside Paper sealed and stamp'd, the same having been once made use of for that Purpose; or shall hereafter sell, or expose to Sale any Playing Cards, the same not being actually stamp'd on the spotted or painted Side, and also inclosed in Paper and Thread sealed and stamp'd, as by the Act 10 A. c. 19. which charges the said Duties, is directed; every Person so offending in any of the Particulars before mentioned, shall for every Offence forfeit 10 l. to be recovered by Action of Debt, &c. in any Court at *Westminster*, wherein no *Essoin*, &c. shall be admitted, or more than one *Imparlance*: One Moiety to the King, the other to the Informer; and the Person recovering in such Action, shall be allowed his full Costs.

II. Sect. 57. After 1 Aug. 1720, every Cardmaker shall be obliged, at the Time of entring every Parcel of Cards, to enter into Bond to his Majesty, with sufficient Sureties, in a Penal Sum of treble the Duties on such Cards, with Condition for the true Payment of the Duties on such Cards, within six Weeks after the Date of such Bond.

III. Sect. 58. If any Cardmaker, upon Entry of any Quantity of Cards, shall pay down all the Duty, the Commissioners for the Stamp-Duties shall pay such Maker the like Allowance as is to be allowed to Persons for present Payment of the Stamp-Duties, by 1 A. c. 22.

IV. Sect. 59. If the Commissioners for the Stamp-Duties shall be informed, or have Cause to suspect, that Persons make Cards or Dice in any Place, without sending Notice in Writing to the Commissioners at their Head-Office, and Affidavit be made thereof by the Informer, before a Justice of the Peace for the County or Place where such Cards shall be making or made, declaring the Ground of his Knowledge or Suspicion, then any Officer acting under the said Commissioners in the Management of the Duties on Cards and Dice, may, in the Day-time, in the Presence of a Constable, or other Peace-Officer (who are required to be aiding there-

in) by Warrant from the Justice before whom such Affidavit shall be made, to be directed to such Officer (which Warrant such Justice is required to grant) break open the Door or any Part of the House where such Cards or Dice are suspected to be made or making, and enter and seize such Cards, Dice, Tools and Materials, and detain the same in such Place as the Commissioners shall appoint; and if the same shall not be claimed and replevied in five Days after Seizure, then the said Cards, Dice, Tools, and other Materials, shall be absolutely forfeited, and may be sold by Direction of the Commissioners: One Moiety of the Produce thereof (all necessary Charges being first deducted) to be to the King, the other to the Discoverer.

Charter-House.

I. Stat. 8 G. c. 29. Sect. 1. If any Number of the Governors of the Lands, Possessions, Revenues, and Goods of the Hospital of King James, founded in *Charter-House* in the County of *Middlesex*, at the Request, and only Costs and Charges of *Thomas Sutton Esq*; under nine, and not less than five, shall meet and assemble together at the *Charter-House* for the Affairs of the Corporation, Notice of four Days at least of the Time and Place of such Meeting having been first given or left at the usual Places of Abode of the Governors within the City of *London*, or Bills of Mortality; and five of the said Governors so met, shall, by their joint Consent, act or do any Matters or Things, relating to the Corporation, such Acts or Deeds shall, to all Intents and Purposes, be deemed and taken to be the Acts and Deeds of the said Corporation, and shall be of the same Force, Validity, and Effect, as if done at a corporate Meeting by all the Governors.

Coffee. Tea. Cocoa-Nuts. Chocolate. Cocoa-Paste.

I. Stat. 10 G. c. 10. Sect. 1. After 24 June 1724, the several Duties upon Coffee and Tea granted by 6 W. 3. c. 7. 3 A. c. 4. and 10 A. c. 26. for several Terms of Years therein mentioned; and since continued by other Acts, and made perpetual, but subject to Redemption; and the several Duties upon Cocoa-Nuts, granted by the said Acts of 6 W. 3. and 3 A. for several Terms of Years, and since continued by several Acts, and made perpetual, but subject to Redemption, shall cease, and be no longer payable.

II. Sect.

II. *Seç. 2.* After 24 *June* 1724, no Chocolate ready made, or Cocoa-Paste, shall be imported into *Great Britain*, on Pain of Forfeiture thereof, together with double the Value, and the Bags, Casks, Boxes, and other Package, wherein the same shall be contained.

III. *Seç. 3.* And that no Deficiency may happen in the Funds to which the said Duties by this Act determined were appropriated, it is enacted, That after 24 *June* 1724, the respective Inland Duties hereafter mentioned, shall, in lieu thereof, be charged on all Coffee and Tea to be sold in *Great Britain*, and upon all Chocolate to be made or sold, *viz.*

On Coffee so to be sold 2*s.* *per lb.* *Averdupois*, over and above all Customs and Duties then remaining payable on the Importation thereof.

On all Tea so to be sold 4*s.* *per lb.* *Averdupois*, over and above, &c. as before.

And upon all Chocolate so to be made or sold, 1*s.* 6*d.* *per lb.* *Averdupois*, and so proportionably: to be paid by the Makers or Sellers.

IV. *Seç. 4.* Such Commissioners as his Majesty or the Treasury shall appoint, shall be his Majesty's Commissioners for the Receipt and Management of the Inland Duties, hereby imposed on Coffee, Tea, and Chocolate: Which Commissioners, or the major Part of them, may by Commissions under their Hands and Seals, substitute under them such Receivers General, Collectors, Controulers, Surveyors, and other Officers, as shall be requisite for the Purposes aforesaid; and the Commissioners and Officers so to be appointed, shall have out of the said Duties, such Salaries and Rewards for their respective Services, as the Treasury shall think reasonable in that behalf: And the Commissioners for these Duties, shall cause all the Monies arising (the Charges of raising and accounting for the same excepted) to be paid into the *Exchequer*, distinctly from all other Branches of the Revenue.

V. *Seç. 5.* All the Powers, &c. in 12 *Car. 2. c. 24*, or by any other Law now in Force, relating to the Revenue of Excise upon Beer, &c. (except where other Provisions and Penalties are prescribed by this Act) shall be put in Execution for managing these Duties, as fully as if the said Powers, &c. were particularly repeated in the Body of this Act.

VI. *Seç. 6.* On or before the 24th of *June* 1724, every Druggist, Grocer, Chandler, Coffee-House-Keeper, Chocolate-House-Keeper, and all other Persons, Bodies politick or corporate, who shall then be a Seller or Dealer in Coffee, Tea or Cocoa-Nuts, or a Maker or Seller of Chocolate, either by Wholesale or Retail, shall make a true Entry in writing of all Warehouses, Storehouses, Rooms, Shops, Cellars, Vaults, and other Places, by each of them

respectively used for the keeping of Coffee, Tea, Cocoa-Nuts, or Chocolate, or making of Chocolate, at the Office to be appointed for these Inland Duties, within the Limits whereof such Warehouses, &c. shall be situated; and also of all Coffee, &c. which at the Time of making such Entries, shall be in such Warehouses, &c. on Forfeiture of 200*l.* for every such Warehouse, &c. which after the said 24 *June*, shall be made use of by any such Druggist, &c. without making such Entry thereof; together with the Coffee, &c. found therein, and also the Canisters, Bags, Jars, Tubs, Boxes, Casks, and other Vessels or Package containing the same.

VII. *Seet.* 7. Every Druggist, &c. who after the said 24 *June* 1724, shall become a Seller or Dealer in Coffee, &c. shall, before they take any Coffee, &c. into their Possession, make the like Entry of all Warehouses, &c. by each of them intended to be made use of for the keeping of Coffee, &c. or the making of Chocolate, on the like Forfeiture of 200*l.* and the Coffee, &c.

VIII. *Seet.* 8. No Coffee, Tea, Cocoa-Nuts, or Chocolate, shall be brought into any such Warehouse, &c. without first giving Notice thereof to the Officer for these Inland Duties, of the Division in which such Warehouse, &c. shall be, and leaving with him a Certificate, sign'd by the Officer of the Division from whence such Coffee, &c. shall be brought, that, in case of Coffee, Tea, or Chocolate, the Inland Duties thereon chargeable by this Act, have been paid, or that the same hath been condemned as forfeited, or was Part of the Stock in Hand of some Druggist, &c. dealing in Coffee, &c. or making of Chocolate; and in case of bringing in Cocoa-Nuts, that the same have been duly enter'd with the Officers of the Customs, or that they were condemn'd as forfeited, or Part of the Stock in Hand of some other Dealers therein, on or before the 24 *June* 1724, of which an Account had been taken, and expressing the Quantity and Quality thereof, and at what Place the Inland Duties, or at what Port the Customs were paid for such Cocoa-Nuts, or where the said Coffee, Tea, Cocoa-Nuts, or Chocolate were condemned, or of whose Stock in Hand the same was Part, on Forfeiture of the Coffee, &c. so brought in without such Notice and Certificate, and treble the Value thereof, together with the Canisters, Bags, &c. containing the same.

IX. *Seet.* 9. The Officers for these Inland Duties may, at all Times by Day, enter into the Warehouses, &c. and by weighing, gauging, or otherwise, take Account of the Quantities and Sorts of the said Commodities, in the weighing whereof the Owners, or some on their Behalf, shall be aiding to the Officers, and keep just Weights and Scales to be made use of by the Officers for that Purpose; and if any
Druggist,

Druggist, &c. shall hinder or refuse the Officers to enter into their Warehouses, &c. or shall not keep just Weights and Scales, or keep false Weights or Scales, or neglect or refuse to assist the Officers in weighing, or obstruct any of them in the Execution of the Powers given them by this Act, the Offender shall for every such Offence, forfeit 100 *l*.

X. *Sect.* 10. If any Officer shall have Cause to suspect that any Coffee, &c. is fraudulently concealed in any Place, either enter'd for keeping or not enter'd, with Intent to defraud the Duties thereon, then if such Place be within *London, Westminster*, or the Weekly Bills of Mortality, upon Oath made by such Officers before two or more of the Commissioners for the Duties; or if the same shall be in any other Part of *Great Britain*, then before one or more Justices of the Peace for the County, &c. where the Officer shall suspect the same to be concealed, setting forth the Ground of his Suspicion, the Commissioners or the Justice may by special Warrant, authorize the Officer, by Day or by Night, but if by Night, then in Presence of a Constable or other Peace-Officer, to enter into such suspected Places, and to seize and carry away all the Coffee, &c. which they shall find so fraudulently concealed, as forfeited for the King's Use, together with the Bags, &c. And if any Person shall hinder the Officers from entering such suspected Places, or in seizing and carrying away such Coffee, &c. the Offender shall for every Offence forfeit 100 *l*.

XI. *Sect.* 11. After 24 *June* 1724, no Coffee, Tea, Cocoa-Nuts, or Chocolate, shall be sold or exposed to Sale, either by Wholesale or Retail, but when the same shall be in one of the Warehouses or other Places so enter'd, or in one of the Warehouses, to be approved of by the Commissioners of the Customs, on Pain of forfeiting all such Coffee, &c. and treble the Value, together with the Canisters, &c. containing the same.

XII. *Sect.* 12. Where any Coffee, &c. shall be sold in any of the entered Places, in any Quantity above the Weight of six Pounds, the Officers for the Inland Duties shall on Request of the Seller, without Fee or Reward, give the Buyer a Certificate, expressing the Quantity, and the Names of the Buyer and Seller, and that the Duties on such Coffee, Tea, or Chocolate, have been paid, or that such Cocoa-Nuts have been duly enter'd with the Officers of the Customs, or had been condemned as forfeited, or were Part of Stock in Hand as aforesaid; which Certificate shall be left with the Officer of the Division, to which the same is to be carried, to prevent the Seizing thereof.

XIII. *Sect.* 13. After 24 *June* 1724, no Coffee, &c. exceeding six Pounds Weight shall be removed from any Part of

this Kingdom by Land or Water, without a Permit or Certificate, signed by one or more of the Officers for the Inland Duties, signifying and certifying the Names and Places of Abode of the Buyer and Seller, and expressing the Quantity and Species of the Commodity, and that the Inland Duties have been paid, or that the Cocoa-Nuts have been duly enter'd, &c. on Pain of forfeiting the Coffee, &c. together with the Canisters, &c. containing the same; which Permit shall be left with the Officer of the Division to which the same shall be carried, to prevent the Seizure thereof; in which Permits, the Officers who grant the same, shall limit the Time for which they shall continue in Force.

XIV. *Señ. 14.* All Chocolate-makers, or the Persons for whose Use they make the same, if it be made in *London, Westminster*, or within the Weekly Bills of Mortality, shall every Week, and if made in any other Part of *Great Britain*, once in every six Weeks, make a true Entry at the next Office for the Inland Duties, of all Chocolate made by them within such Week or six Weeks respectively, which Entry shall contain the Weight of all they have made within that Time, on Forfeiture of 50*l.* for every Neglect of Entry. The said Entry to be made upon Oath by the Makers or Proprietors, or their chief Workman employed therein, according to the best of their Knowledge and Belief, unless such Maker, &c. be a Quaker, in which Case his solemn Affirmation shall be taken instead of such Oath: And the said Entries, Oaths, and Affirmations, shall, for Chocolate made within the Weekly Bills of Mortality, be administer'd by the Officers appointed by the Commissioners for the Inland Duties, who shall attend for that Purpose at the general Office in *London* or *Westminster*; and for all Chocolate made in other Parts of *Great Britain*, by the Collectors and Supervisors of the District, within which the Makers shall inhabit, without Fee or Charge: Provided, that no such Maker or Proprietor shall be obliged to go or send farther than the next Market-Town, to the Place where such Chocolate shall be made, for making such Entries.

XV. *Señ. 15.* Every Maker or Proprietor of Chocolate within *London, Westminster*, or the Weekly Bills, shall within one Week, and in any other Part of *Great Britain*, within six Weeks, next after they make, or ought to have made such Entry, clear off the Duties, on Forfeiture for every Refusal or Neglect, of 50*l.* above the Duties, and shall not after such Default, sell or deliver any Chocolate till they have paid the Duties, on Forfeiture of treble the Value of all the Chocolate so sold, &c.

XVI. *Señ. 16.* All Chocolate, which after 24 *June* 1724, shall be made in *Great Britain*, shall be packed up, and a Stamp put thereon in manner following, *viz.* All Makers or
Pro

Proprietors of Chocolate, shall at the Times and Places where they make their Entries, produce all the Chocolate contain'd in each Entry, at the Offices where the Entries are made, to the Officers appointed to receive the said Entries; which Chocolate shall be inclosed and tied up with Thread in several Papers, containing one Pound-Weight of Chocolate each, and no more or less, each of which Papers shall, by an Officer to be appointed by the Commissioners for that Purpose, have such a Mark, Stamp, Impression, or Device affixed thereon, as the Commissioners shall appoint: Which Mark, &c. may from Time to Time be altered in such manner as the Commissioners shall judge most proper for the Purposes aforesaid.

XVII. *Seft.* 17. All such Chocolate as shall or ought to be enter'd on or before 24 *June* 1724, within the Weekly Bills, shall within fourteen Days after, and in any other Part of *Great Britain* within six Weeks, be brought to the Offices to be stamped.

XVIII. *Seft.* 18. After the End of the last mention'd six Weeks, all Chocolate found in the Custody of any Maker or Seller thereof, (except such for which the Duties shall not have become due) without such Mark, &c. shall be forfeited, and such Maker or Seller shall farther forfeit 20*s.* for every Pound-Weight so found in his Custody without such Mark, &c. And all such Chocolate, as after the said six Weeks, shall be found removing from one Place to another without such Mark, &c. shall be forfeited, and may be seized for the King's Use, together with the Package containing the same.

XIX. *Seft.* 19. If any Person shall counterfeit, or cause to be counterfeited, any such Mark, &c. or sell any Chocolate with such counterfeit Mark, &c. knowingly, he shall forfeit for every such Offence 500*l.* and be committed to the next County-Gaol for twelve Months without Bail.

XX. *Seft.* 20. After 24 *June* 1724, if any Persons shall be minded to make any Quantity of Chocolate at their own Houses, or any other Place not for Sale, but to be consumed in their own private Families, and shall give Notice in Writing under their Hands of such their Intention, to the Officer of the Division, three Days at least before their Beginning to make such Chocolate, in which Notice shall be specify'd the Weight or Quantity of Cocoa-Nuts design'd to be made into Chocolate, the Names of the Persons to be employ'd in the making thereof, and the Place where the same is to be made, then the Officer shall give a Permission in Writing under his Hand without Fee, for the making such Quantity of Chocolate, at such Place as shall be so notify'd; which Place, in respect of making such Chocolate there, shall not be liable to be visited by such Officers.

XXI. *Seç.* 21. But if within three Days after the finishing of the making of such Chocolate for private Use, it be not enter'd on Oath, and brought to the Office to be stamped, and at the same Time the Duties paid, the Chocolate shall be forfeited, and the Person for whom the same shall be made, shall forfeit treble the Value.

XXII. *Seç.* 22. No Person shall be permitted to make into Chocolate for his private Use, any Quantity of Cocoa-Nuts, less than Half one Hundred Weight at a Time.

XXIII. *Seç.* 23. After 24 June 1724, all Coffee, Tea and Cocoa-Nuts, imported into *Great Britain* from Foreign Parts, upon Entry thereof at the Custom-house, and paying or securing the Subsidies and additional Imposts due thereon, shall be forthwith put into a Warehouse provided for that Purpose, at the Charge of the Importer, and approved of by the Commissioners of the Customs; and the Importer may garble and separate in the Warehouse such Coffee and Cocoa-Nuts as hath been usual, to make it merchantable; and the said Coffee, Tea and Cocoa-Nuts, so brought into the Warehouse, shall not be taken out thence on any Account, other than as is here mentioned, *viz.* such of the Coffee and Tea as shall be sold to be consumed in *Great Britain*, shall be deliver'd out on Payment of the Duties hereby payable, in manner following, *viz.* the Importer, Proprietor, or Persons appointed by them, shall for such Coffee and Tea which shall be warehoused in *London*, *Westminster*, or within the Weekly Bills, make an Entry with the Receiver or Collector of the Inland Duties within *London* or *Westminster*, of so much Coffee or Tea as he intends to take out of such Warehouse, and pay down in ready Money the Inland Duties hereby granted, amounting to 2*s.* for every Pound-Weight of Coffee, and 4*s.* for every Pound-Weight of Tea: And in all other Places of *Great Britain*, such Entries shall be made at the Office for the Inland Duties, nearest to the Warehouse, and the Inland Duties shall be paid down to the Collector appointed to receive the same; and upon producing to the Warehouse-Keeper a Warrant sign'd by such Receiver or Collector, certifying that he has received the Inland Duties hereby granted, such Warehouse-Keeper shall deliver out so much Coffee or Tea intended for Home-Consumption, as shall be mentioned in such Warrant, and shall also give a Permit, to accompany such Coffee or Tea so deliver'd out (which Permit shall also be signed by an Officer attending the Warehouse, who shall be appointed by the Commissioners for the Inland Duties) to prevent the Seizing thereof. And as to such Cocoa-Nuts intended to be taken out of a Warehouse, in order to be made into Chocolate in this Kingdom, an Entry thereof shall be first made by the Importer, &c. with

with the Receiver or Collector of the Inland Duties, as a Charge on such Importer, &c. and also on the Buyer; and the said Receiver or Collector shall certify such Entry to the Warehouse-Keeper, and upon such Certificate, the Quantity of the Cocoa-Nuts therein mentioned shall be delivered out of the Warehouse accordingly, with a Permit sign'd by the Officer for the Inland Duties at such Warehouse, to be delivered to the Officer for the said Duties, of the Division to which such Cocoa-Nuts are intended to be carried, that he may take the same into Stock. And as to such Part of the said Coffee, Tea and Cocoa-Nuts, as shall be intended for Exportation, the same shall be delivered out upon sufficient Security first given to the Crown, (which Security the Commissioners of the Customs, or such other Officers of the Customs as they shall appoint, are required and impowered to take) that the same shall be exported, and not relanded in *Great Britain*; which Security shall be discharged without Fee, on Certificate returned or produced to the Commissioners of the Customs, &c. under the common Seal of the Chief Magistrate in any Place beyond the Seas, or under the Hands and Seals of two known *British* Merchants then being at such Place, that such Coffee, &c. was there landed, or on Proof that such Coffee, &c. was taken by Enemies, or perished in the Seas; the Examination and Proof thereof being left to the Judgment of the Commissioners of the Customs.

XXIV. *Señ.* 24. If after the said 24 *June* 1724, any Persons shall import any Coffee, Tea or Cocoa-Nuts, (which ought to be secured in such Warehouse) and shall not make due Entries thereof, and bring the same into such Warehouse, it shall be adjudged clandestinely run, and unlawfully imported, and may be seized by any Officer of the Customs, or for the Inland Duties, and the Offender shall forfeit all the Coffee, &c. together with the Canisters, Bags, &c. containing the same, and the Horses, Carts and other Carriages made use of in the carrying thereof.

XXV. *Señ.* 25. If any Dispute shall arise, whether the Customs or Inland Duties for Coffee or Tea, or the Customs for Cocoa-Nuts, which shall be seized in Pursuance of this Act, have been duly paid, or that the same have been condemn'd as forfeited, the Proof shall lie on the Owner or Claimer, or the Person on whom found, and not on the Officer.

XXVI. *Señ.* 26. The Warehouse-Keeper appointed by the Commissioners of the Customs, and the Persons appointed by the Commissioners of the Inland Duties to attend the Warehouses, shall each of them keep Books, wherein they shall separately enter a true Account of all Coffee, Tea, and Co-

coa-Nuts, brought in and carry'd out of the Warehouse to which they belong, the Times when, and how much was delivered out to be consumed in *Great Britain*, and how much for Exportation, and the Names of the Persons to whom, or for whose Use the same was delivered out; and shall at the End of every six Months, or oftner if required, transmit in Writing an Account thereof upon Oath to the Commissioners of the Customs, and for the Inland Duties, under whom they respectively serve; together with an exact Account of how much shall remain in the Warehouses to which they respectively belong: And the Commissioners of the Customs and for the Inland Duties are severally required, within one Month after the same shall be transmitted to them, to appoint Persons to inspect the said Books and Warehouses, and to examine the same Accounts; and if upon Examination it shall appear, that any Coffee, &c. was deliver'd out otherwise than as aforesaid, or before Payment of the Inland Duties for such Coffee and Tea, as shall have been sold to be consumed in *Great Britain*, or giving Security for such as shall be delivered out for Exportation, then the Warehouse-Keepers and Officers offending therein, shall be disabled to hold any publick Office, and forfeit for every Offence 100*l*.

XXVII. *Seç.* 27. The Proprietor of the Coffee, Tea, or Cocoa-Nuts, so to be lodged in Warehouses, may affix one Lock on every such Warehouse, the Key whereof to remain in his Custody; and the Officer for the Inland Duties may affix another Lock, the Key whereof to remain in the Custody of the said Officer: And the Proprietor may, in Presence of the Warehouse-Keeper and Officer, (who are required to attend at reasonable Times for that Purpose) view, sort, and receive out of the Warehouse the said Coffee, &c. in manner following, *viz.* Such of the Coffee or Tea which shall be sold to be consumed in *Great Britain*, upon paying the Inland Duties to the Persons, and in the manner before prescribed; and such of the Cocoa-Nuts as are to be made into Chocolate in *Great Britain*, on making an Entry thereof, and giving Permits and Certificates as before directed; and such of the Coffee, Tea, and Cocoa-Nuts, as shall be sold for Exportation, on giving such Security as is before in that behalf expressed.

XXVIII. *Seç.* 28. The Commissioners for the Inland Duties may provide so many Houses, and at such Places as they shall think proper, for roasting such Coffee-Berries as shall be brought to them for that Purpose, and shall appoint Officers for attending the same, and one or more Persons at each House well skill'd in the roasting of Coffee, who are constantly to attend for that Purpose, and also proper Materials for the roasting thereof; to which all Dealers in Coffee,

fee, or any other Persons, may resort to have their Coffee-Berries roasted, bringing a Certificate from an Officer for the Inland Duties, that the Duty of such Coffee-Berries hath been paid, or that the same was Part of the Stock in Hand of some Dealer in Coffee on 24 June 1724, or that the same had been condemned as forfeited; for the roasting whereof no more shall be paid than 8s. for ever 100 Weight Averdupois, and so in proportion.

XXIX. *Seff.* 29. All Sellers and Dealers in Coffee may appoint such Persons as they think proper for the roasting of their Coffee-Berries in such Houses, who shall be permitted to roast the same, paying only 3s. for every 100 Weight, and so in Proportion.

XXX. *Seff.* 30. After the providing of such roasting Houses, and during the Continuance of the same, no Coffee-Berries shall be roasted, burnt or dried, in order to make them fit for Sale, but in one of those Houses, on Forfeiture of the Coffee roasted, &c. in any other Place, and 5s. for every Pound-Weight, and so proportionably.

XXXI. *Seff.* 31. If any Officer or Roaster appointed by the Commissioners for the Inland Duties to attend such Roasting Houses, shall neglect or refuse to give Attendance there for the Roasting of such Coffee as shall be brought thither for that Purpose, he shall forfeit 10*l.* for the first Offence, 20*l.* for the second, and from thenceforth be incapable of any Office in the Revenues. Provided, that no Seller or Dealer in Coffee, Tea, or Cocoa-Nuts, shall receive out of any of the publick Warehouses, any less Quantity of Coffee, &c. than 100 Weight of each Sort at a Time, except in Cases where the Importation and Delivering into such Warehouses shall be in less Quantities, or where the Goods shall be publickly sold by Lots in less Quantities.

XXXII. *Seff.* 32. For the better ascertaining the Quantities of all Coffee, Tea, Cocoa-Nuts, and Chocolate, which shall be sold, all Sellers and Dealers therein, and all Makers of Chocolate, and all Coffee and Chocolate-House-Keepers, who sell or consume the same in small Quantities under the Weight of six Pounds, shall after 24 June 1724, keep an Account of all such Coffee, &c. which they shall sell or consume in each Day, and every Night enter in a Book to be kept for that Purpose, an Account of the gross Quantities of the said several Commodities, which have been by them retailed or consumed in that Day, in small Quantities under the Weight of six Pounds; and they shall also keep one other Book wherein they shall enter each Parcel of Coffee, &c. above the Weight of six Pounds, which they shall sell in each Day; which Parcels of Coffee, &c. above six Pounds, shall not be removed out of the Seller's Custody without a Permit,

Permit, signed by some Officer for the Duties, expressing the Quantity and Quality of the Coffee, &c. the Names of the Persons selling and buying the same, and the Place to which intended to be carried; and that the Duties on the Coffee, Tea, and Chocolate were paid, or that the Cocoa-Nuts were enter'd, or were condemned as forfeited, or were Part of the Stock in Hand of some Persons, expressing their Names, of which an Account had been taken on or before 24 June 1724: Which Books shall be prepared and delivered on Demand, to the Sellers and Dealers in Coffee, &c. by the Commissioners for the Inland Duties: Provided, no such Seller or Dealer shall have in his Custody more than one such Book of each Sort at a Time; and when the Books shall be filled up, they shall be returned to the Officer from whom they were received, on Oath (or if a Quaker, on his solemn Affirmation) of such Sellers or Dealers, or of their Servants who kept the same and made the Entries, of the Truth of such Entries, to the best of their Knowledge and Belief; and thereupon new Books shall be delivered to them; and so *toties quoties*: These Books so to be kept by the said Sellers and Dealers, shall lie open to be perused by the Officers for the Inland Duties, the better to enable them to make their Charges of such Duties, and keep their Stocks of the Increase and Decrease of the Commodities charged therewith. And if any such Seller or Dealer in Coffee, &c. shall neglect or refuse to keep such Books, and make such Entries therein, or to permit the Officers to inspect them, or not return the Books as directed by this Act, or shall make any false Entry therein, he shall for every such Offence, forfeit 100*l*.

XXXIII. *Seet*. 33. After 24 June 1724, so much of the Inland Duties by this Act set on Coffee and Tea, as have not been paid for the Duties hereby determined, shall be imposed and chargeable on all the Coffee and Tea, which having been warehoused in Pursuance of 10 *A. c.* 26. shall be found in such Warehouses after the said 24 June.

XXXIV. *Seet*. 34. The Importers or Proprietors of Coffee and Tea found in such Warehouses, shall, within one Month after 24 June 1724, or on Delivery thereof before, make an Entry thereof at the Custom-house, and pay or secure the remaining Duties thereon, which notwithstanding this Act, are to be paid or secured at the Custom-house at the Importation thereof, *viz*. The old Subsidy, the new Subsidy, the one Third Subsidy, the two Thirds Subsidy, and the additional Impost; on Failure whereof, all such Coffee and Tea shall be forfeited; and if the said Coffee and Tea shall be exported within the Time allowed by Law, the Exporters shall be entitled to draw back all the Duties paid on the Importation,

portation, or the Securities for the same shall be vacated, as to so much thereof as shall be exported, (except half of the old Subsidy, which is to remain to the Crown) and on Payment of the Inland Duties for so much of the said Coffee and Tea, as shall remain unexported, the Security given in respect thereof, shall also be vacated.

XXXV. *Señ. 35.* The Officers for the Duties granted hereby may, after 24 June 1724, enter into every the last mentioned Warehouses, where such Coffee and Tea shall be kept, and weigh and take Account of the Quantities thereof, and the Proprietors of the same; and the Commissioners for the Inland Duties may appoint Warehouse-Keepers of such Warehouses of such Coffee and Tea, who shall affix one Lock on every such Warehouse, and keep the Key; and such Coffee and Tea shall not be taken out of such Warehouse without first paying the Duties imposed thereon by this Act: And the last mentioned Warehouse-Keepers shall keep the like Books, and make the like Entries, and transmit the like Accounts on Oath to the Commissioners for the Inland Duties, and do and perform all such other Matters and Things with respect to the Coffee and Tea, which shall be so under their Care and Inspection, as are prescribed to be done by the Warehouse-Keepers to be appointed in Pursuance of this Act, for the Warehouses in which Coffee and Tea, imported after 24 June 1724, are directed to be kept, under the like Penalties and Disabilities as the first mentioned Warehouse-Keepers are subjected to by this Act.

XXXVI. *Señ. 36.* If any Seller or Dealer in Coffee, &c. shall conceal any Coffee, &c. from the View of the Officers of the Inland Duties, with Intent to defraud his Majesty of the same, the Offender shall forfeit all such Coffee, &c. and treble the Value thereof, and also all Canisters, Bags, &c. and other Vessels and Package containing the same.

XXXVII. *Señ. 37.* If any Person shall assault, oppose or hinder any Officer of the Customs, or for the Inland Duties, in the seizing of any Coffee, &c. which may be seized by Virtue of this or any other Act now in Force, or hereafter to be made; or shall by Force and Violence rescue any of the said Commodities after Seizure, or steal, break, or otherwise destroy or damage any Vessel or Package wherein the same shall be contained, he shall for every such Offence forfeit 50*l.*

XXXVIII. *Señ. 38.* All Fines, Penalties and Forfeitures, as well specifick as pecuniary, relating to the Inland Duties, or to the Commodities hereby prohibited to be imported, or to any Seizure in Pursuance of this Act, shall be sued for, recovered or mitigated, as any Fine, &c. may be by the Laws of Excise; or by Action of Debt, &c. in any of the Courts

at *Westminster*, for any Thing done in *England*; or in the Court of Exchequer at *Edinburgh*, for any Thing done in *Scotland*; and one Moiety shall be to the Crown, the other to the Seizor or Prosecutor.

XXXIX. *Seç.* 39. The Commissioners for these Duties on Coffee, &c. arising in *England*, *Wales*, and *Berwick*, shall have the like Powers in all Cases relating to these Duties, as the Commissioners of Excise have in like Cases relating to the Duties of Excise; and the Judgments given in Pursuance of this Act by the said Commissioners and Justices of the Peace respectively, shall be final, and not liable to be removed by *Certiorari* into any of the Courts at *Westminster*.

XL. *Seç.* 40. The Commissioners and every subordinate Officer, who shall receive any Salary or Allowance in respect of his Office, shall, before he acts in his Trusts, take an Oath for the faithful Execution of the same: Which Oath may be administer'd to a Commissioner by any other Commissioner, and to the Officers by any one of the Commissioners, or by a Justice of Peace, who shall give a Certificate thereof *gratis*.

XLI. *Seç.* 41. Persons sued for any Thing done in Pursuance of this Act may plead the general Issue, and give this Act and the special Matter in Evidence in their Defence; and if a Verdict pass for the Defendant, &c. he shall have treble Costs.

XLII. *Seç.* 42. So many Commissioners and Officers shall from Time to Time be appointed, as shall be necessary for managing, raising and paying the Duties herein granted, and for keeping and rendring the Accounts of the same, who shall perform their Duties in relation to the Premises, under such and the like Penalties and Disabilities for any Offence or Neglect therein, as are prescribed by 9 *W. 3. c. 44*, for the like Offence or Neglect relating to the Duties thereby granted.

XLIII. *Seç.* 43. One Moiety of the Inland Duties by this Act imposed on Coffee and Tea, and all the Money arising by the Inland Duty on Chocolate, shall be appropriated and applied to the same Uses as the Duties on Coffee, &c. continued and made perpetual by 7 *A. c. 7*, were appropriated and applicable, before the making of this Act, and shall be subject to the same Redemption, as the Duties on Coffee, &c. by the last mention'd Act were subjected unto; and the remaining Moiety of the Monies arising by the said Inland Duties by this Act imposed on Coffee and Tea, shall be appropriated and applied to the same Uses as the Duties on Coffee and Tea, continued and made perpetual by 3 *G. c. 7*, were appropriated and applicable before the making of this Act, and shall be subject to the same Redemption by Parliament,

as the said Duties on Coffee, &c. by the last mentioned Act were subjected unto.

XLIV. *Seç. 44.* All Tea imported from any Place within the Limits of the *East-India* Company's Charter, shall, after 24 *June* 1724, pay the old Subsidy of 12*d.* in the Pound granted by the Act of 12 *Car. 2. c. 4.* according to the reduced Value thereof, after the Deduction of the Customs, and other Duties payable thereon at Importation, and other Deductions; and the other Subsidies and additional Impost on Tea, are to be paid on the Importation thereof, according to such reduced Value proportionably.

XLV. *Seç. 45.* After 24 *June* 1724, all Coffee imported shall be rated at 7*l.* for every Hundred Weight, containing 112 Pounds; and all Cocoa-Nuts at 50*s.* for the like Weight, and the Subsidy at 12*d. per Pound* by the said Act of 12 *Car. 2.* shall be paid according to such Rates of 7*l.* and 50*s.* and the further Subsidy, the one third and two third Subsidies, and additional Impost, shall be paid according to such Rates, and not according to the Value sworn.

XLVI. *Seç. 46.* The old Subsidy, the new Subsidy, the one third and two third Subsidies, and additional Impost, which, over and above the Inland Duties by this Act charged on Coffee and Tea imported, and upon Chocolate made in this Kingdom, are by Law still payable for Coffee, Tea, and Cocoa-Nuts imported, shall be paid or secured, and be raised in such Manner, by such Ways, under such Penalties, &c. and with such Discounts, &c. as are mention'd in the several Acts which granted or continued the said Subsidies, and additional Impost; and all Powers Penalties, &c. therein contained, shall be executed, &c. for raising, &c. the said respective Duties, as the same might have been if this Act had never been made.

XLVII. *Seç. 47.* Nothing in this Act shall extend to give any Power or Licence to any Persons, to import Tea into any of his Majesty's Dominions, but such only as could by Law import the same, and in such Manner as the same could be lawfully imported before the making of this Act.

XLVIII. *Seç. 48.* In all Cases where it shall appear to the Commissioners of the Customs, or any three or more of them (who are empower'd to examine the Matter upon Oath) that any Cocoa-Nuts have been lawfully imported into this Kingdom before 29 *Sept.* 1723, and that the Duties then payable by Law on the Importation thereof have been paid or secured to be paid, the Owners may export the same at any Time before 24 *June* 1725, (Security against fraudulently relanding the same being first given) and upon such Exportation the same Drawbacks and Advantages shall be allowed to such Importers or Proprietors, as if the same had been exported within

within the Times allowed by Law: Provided such Cocoa-Nuts shall, on or before 24 June 1724, be brought into one of the Warehouses to be appointed by this Act, or the Key of the Warehouse where the same shall be then kept, be, on or before 24 June 1724, delivered to one of the Officers for the Inland Duties, to prevent Frauds in Relation thereto.

Coin and Coinage.

I. Stat. 9 G. c. 19. Sect. 1. Such and the like Rates and Duties as were granted by 18 Car. 2. c. 5, and continued by 25 Car. 2. c. 28. both which Acts were revived by 1 Jac. 2. c. 7. and continued by subsequent Acts, viz. by 4 W. and M. Sect. 4. c. 24. Sect. 3. 12 W. 3. c. 11. 7 A. c. 4. and 1 G. c. 43. on the Importation of Wines, Vinegar, Cyder, Beer, Brandy and Strong-Waters, during the Terms therein mentioned, shall be farther continued for the Space of seven Years, to commence from 1 March 1723, and till the End of the first Session of Parliament then next following; and all the said former and other Acts concerning Coinage shall be in Force during the said Term.

II. Sect. 2. The Treasury, out of the Monies arising by this Act, or out of any other publick Supplies, may cause so much Money to be applied as shall be necessary for defraying the Expences of the Mints of *England* and *Scotland*, by Way of Imprest, and on Account, for that Service; so as the same, together with the Coinage-Duties arising by this Act, do not exceed in any one Year 15,000*l.* and so as the Monies be issued out of the Exchequer of *Great Britain*, to the Masters of the Mints in *England* and *Scotland*, for the same Purposes.

III. Stat. 10. G. c. 5. Sect. 4. The Treasury, out of the Monies arisen of the sinking Fund, may allow to the four Tellers of the Exchequer, any Sum not exceeding 15,144*l.* 19*s.* to satisfy and make good the Loss and Deficiency which happen'd in the Treasure remaining in their Offices by the Reduction of Guineas from 21*s.* 6*d.* to 21*s.*

Copper-Ore.

I. Stat. 8 G. c. 18. Sect. 22. After 29 Sept. 1722, all Copper-Ore shall be refrained to be imported into this Kingdom, under the like Securities and Penalties, as by 12 Car. 2. c. 18. 25 Car. 2. c. 7. and 4 & 5 A. c. 5. are provided for the Goods therein particularly enumerated.

Copyholds.

I. *Stat. 9 G. c. 29. Sect. 1.* Where any Persons under the Age of 21 Years, or Females Covert, shall, after 24 June 1723, be entitled by Descent, or Surrender to the Use of a last Will, to be admitted Tenants of any Copyhold Messuages, Lands, Tenements or Hereditaments, in *England or Wales*, they not having been admitted thereto, nor paid their Fines, such Infant or Female Covert, in their proper Persons, or such Female Covert by her Attorney, or such Infant by his Guardian, or in Case he have no Guardian, then by his Attorney, (for which Purpose they are hereby empower'd, by Writing under their Hand and Seal respectively, to appoint Attornies) shall appear at one of the three next Courts which shall be kept (for the keeping whereof the usual Notice shall be given) for such Manor, whereof such Messuages, &c. shall be Parcel, and shall there tender themselves to the Lord, or his Steward, to be admitted Tenants: To make which Appearance, and to take such Admittance, such Guardian and Attorney are hereby respectively authorised: And in Default of such Appearance, and of Acceptance of such Admittance, the Lord or his Steward, after three Courts have been holden, and Proclamations regularly made, may nominate at any subsequent Court, any fit Person to be Guardian or Attorney for every such Infant or Female Covert, for that Purpose only; and by such Guardian or Attorney, may admit such Infant or Female Covert to all such Messuages, &c. and on such Admittance may impose such Fine as might have been legally imposed, if such Infant had been of full Age, or such Female Covert unmarried.

II. *Sect. 2.* On every such Admittance the Fine set thereon may be demanded by the Bailiff of the Lord of the Manor, by a Note sign'd by the Lord or his Steward, to be left with such Infant or Female Covert, or with the Guardian of such Infant, or Husband of such Female Covert, or with the Tenant of the Messuages, &c. to which they were admitted; and if the Fine be not paid or tender'd to the Lord or his Steward, within three Months after such Demand, then the Lord may enter upon such Copyhold Estate, and hold the same, and receive the Rents thereof; but without Liberty to sell any Timber, till by such Rents he be fully paid the Fine, with all necessary Costs and Charges which he shall have been put to in raising the same, and in obtaining the Possession of such Copyhold, although such Infant or Female Covert shall happen to die before such Costs and Fine be raised: Of all which Rents so to be received upon the said Occasion,

Occasion, the Lord shall yearly, on Demand by such Persons as shall be entitled to the Surplus, or by such as shall be then entitled to the Copyhold Estate, render a just Account, and pay the Surplus to such Person as shall be entitled to the same.

III. *Seft. 3.* As soon as such Fine and Costs shall be fully satisfy'd, or if after such Seizure and Entry the Fine and Costs shall be tender'd to the Lord, then such Infant or Feme Covert, or other Person entitled thereto, may enter upon and take Possession of the said Copyhold Premises, and the Lord is required to deliver Possession thereof accordingly; and if the Lord, after the Fine and Costs shall be fully satisfied, or after they have been tender'd as aforesaid, shall refuse to deliver the Possession, he shall be liable to make Satisfaction to the Person so kept out of Possession, for all the Damages he shall thereby sustain, and all the Costs and Charges he shall be put to for Recovery thereof.

IV. *Seft. 4.* Where any Infant or Feme Covert shall be admitted to any Copyhold Messuages, &c. if the Guardian of such Infant, or Husband of such Feme Covert, shall pay the Lord the Fine legally set on such Admittance, and the Costs the Lord shall be put to, then the Guardian or the Husband, their Executors, &c. may enter into, and hold the said Copyhold Messuages, &c. and receive the Rents and Profits thereof, till they shall be fully satisfy'd all the Money they shall disburse on the Account aforesaid, notwithstanding the Death of such Infant or Feme Covert shall happen before the Monies so expended be reimbursed.

V. *Seft. 5.* After 24 June 1723, no Infant or Feme Covert shall forfeit any Copyhold Messuages, &c. in *England* or *Wales*, for their Neglect or Refusal to come to any Court to be kept for any Manor, whereof such Messuages, &c. are Parcel, and to be admitted thereto; or for the Omission, Denial, or Refusal to pay any Fine imposed on their Admittance to such Copyhold Messuages, &c.

VI. *Seft. 6.* If the Fine imposed in any of the Cases before mentioned shall not be warranted by the Custom of the Manor, or shall be unlawful, then such Infant or Feme Covert shall be at Liberty to controvert the Legality of such Fine, in such Manner as they might have done if this Act had not been made.

Customs.

I. *Stat. 6 G. c. 21. Seft. 34.* After 1 Aug. 1720, if any Officer of the Customs be forcibly hindred, wounded, or beaten in the Execution of his Office by any Persons armed with

with Clubs or any Weapon, tumultuously assembled in the Day or Night, to the Number of eight or more Persons, every such Person, or such as shall act in their Aid or Assistance, being convicted thereof, shall, by Order of the Court before whom they shall be convicted, be transported to some of the Plantations in *America* for such Term as the Court shall think fit, not exceeding seven Years, in the same Manner as by 4 G. c. 11, the Offenders therein mentioned are to be transported.

II. *Señ.* 35. If such Offenders shall return into *Great Britain* or *Ireland* before the Expiration of the said Term, they shall suffer as Felons, and have Execution awarded against them as persons attainted of Felony, without Benefit of Clergy.

III. *Señ.* 36. If any such Offender shall within two Months after such his Offence, and before Conviction, discover two or more of his Accomplices, to the Commissioners of the Customs in *England* or *Scotland*, so as two of them at least be convicted, he shall have 40*l.* for every Offender so discover'd, as a Reward for such his Discovery, and shall be acquitted of his Offence.

IV. *Señ.* 37. If any other Person shall, within three Months after such Offence shall have been committed, discover to the said Commissioners any Person who shall have been guilty of such Offence, so as such Offender be convicted thereof, such Discoverer shall receive the like Reward of 40*l.* for every Offender so convicted, over and above any other Reward which he may be entitled to on Account of the Goods so carried or conveyed away, which shall be recover'd by Means of such his Discovery, or on Account of the Penalty which shall be recovered for the running the said Goods.

V. *Señ.* 38. The Commissioners of the Customs shall cause the said several Rewards of 40*l.* for the Discovery of such Offenders, to be paid by the Receiver General of the Customs, out of any publick Money in his Hands under the Management of the said Commissioners, on producing to them a Certificate under the Hand of the Judge or Justice before whom the Cause was tried, certifying the Conviction of the Offender: And the Money so paid by the Receiver General, shall be allowed in his Accounts as so much paid to his Majesty, and he is hereby discharged thereof.

VI. *Señ.* 39. After 1 *Aug.* 1726, if prohibited or customable Goods shall be found by any Officer of the Customs, in the Custody of any Persons, being in a Bark, Hoy, Lighter, Barge, Boat, or Wherry on the Water, or coming directly from the Water-side, without the Presence of an Officer; or if such Goods, upon the Information of one or more credi-

ble Persons, be found in any House, Shop, Cellar, Warehouse, Room, or other Place, on a Search there made in Manner as by 13 & 14 Car. 2. is directed, such Officers may stop and put the said Goods in the King's Warehouse, in the Port next to the Place where such Stop shall be made, there to remain till the Claimers thereof make Proof by Oath, or otherwise, to the Satisfaction of the Commissioners of the Customs, if such Stop shall be made within the Ports of *London* or *Edinburgh*, That the Duties of the customable Goods have been paid, or secured, or that the same had been bought in a lawful Way of Trade, or that the Goods had been compounded for, or condemned in the Court of *Exchequer* at *Westminster* or *Edinburgh*, or been otherwise delivered by Writ of that Court respectively; and that the prohibited Goods had been compounded for, or condemned, or otherwise delivered as aforesaid; in which Case such Goods shall be delivered without Delay or Charge: And if such Goods shall be stopt in any other of the Ports within this Kingdom, the Claimers thereof shall make the like Proof, and deliver the same to the Collector, or, in his Absence, to one of the other principal Officers of the Customs in the Port where such Stop shall be made; which Proof shall, without Loss of Time, be transmitted to the Commissioners for their Directions touching the immediate Delivery of such Goods, without Charge to the Claimer, or for the seizing and prosecuting the same, as the said Commissioners shall see Cause.

VII. *Sett.* 40. Provided such Proof be made within ten Days after the Goods have been stopped; in Failure whereof, the same shall be seized and prosecuted in such Manner as by the several Laws now in Force against the Importation of prohibited and uncustomed Goods, is provided: The Forfeitures of such Goods, after Condemnation, shall be for such Uses, and according to such Proportions as are therein mentioned.

VIII. *Sett.* 41. If upon such Prosecution where no Application has been made to the said Commissioners or Officers, and not otherwise, the Property of the Goods shall be claimed, and if any Question or Doubt shall arise, whether the Duties were paid or secured, or the said Goods had been compounded for, or condemned, or otherwise delivered by Writ out of the *Exchequer*, or bought in a lawful Way of Trade, the Proof shall be incumbent on the Claimer, and not on the Seizor or Prosecutor. And if a Verdict shall pass for such Claimer, or if the Officers shall become Nonsuit, or forbear, or discontinue Prosecution; or if upon Demurrer, or otherwise, Judgment shall be given against the Officers, then the Claimer shall, above the Recovery of his Goods, or the Value thereof, have reasonable Costs of Suit; which
Costs

Costs shall be esteemed as a full Satisfaction for his Damages occasioned by the Detention and Seizure of the said Goods.

IX. *Seç. 42.* In all Cases where the Claimer of such Goods shall make Proof, either by Oath before any Justice, or other Person impowered to administer the same, or otherwise, to the Satisfaction of the Commissioners or other Officers of the Customs, so as to induce the Commissioners to order the Delivery of the Goods so stoppt; and if the Owners or Claimers shall receive any Damage by reason of such Stop, they shall receive the Goods by Virtue of such Order, without Charge or Delay, and may bring their Action against the Officers who shall stop their Goods, for reasonable Damages sustained by Means of the Goods being so detained.

X. *Seç. 43.* If the Officer who stoppt the Goods, or any other Officer of the Customs, be desirous to seize and prosecute the same, notwithstanding any Directions of the Commissioners for Delivery of the Goods, such Officer may seize and prosecute the same, in Manner as by the Laws of the Customs now in Force: In which Case the Officer so prosecuting, shall be liable to be sued by the Owner of the Goods for Recovery of the same, or the Value thereof, with full Costs; or if the Commissioners shall not order the Delivery of the Goods, the Owner may nevertheless sue for the Recovery thereof, together with Costs and Damages, according to the usual Course of Law in any Court of Record at *Westminster*, or in the *Exchequer* in *Scotland*, as he might have done before the passing this Act.

XI. *Seç. 44.* The several Offences in this Act relating to the Customs, or other Duties upon Importation or Exportation, or to uncustomed or prohibited Goods, (except as herein otherwise provided) shall be heard, tried, and determined by Bill, Complaint, or Information in any Court of Record at *Westminster*, or in the Court of *Exchequer* in *Scotland*.

XII. *Stat. 8 G. c. 15. Seç. 7.* After 25 *March* 1722, the Subsidies and other Duties, payable to the Crown by any Law now in Force, on the Exportation of any Goods and Merchandizes of the Product or Manufacture of *Great Britain*, shall cease and be no longer payable: Except such Goods touching which a special Provision is herein after made.

XIII. *Seç. 8.* This Act shall not extend to determine, alter, or lessen the several Subsidies of Poundage, or other Duties, payable upon the Exportation of Allom, Lead, Lead-Ore, Leather tanned, Copperas, Coals, Wool-Cards, White wool-len Cloths, Lapis Calaminaris, Skins of all Sorts, Glue, Cony-Hair or Wool, Hares-Wool, Hair of all Sorts, Horses, and Litharge of Lead.

XIV. *Señ. 9.* After 25 *March* 1722, any Person may export out of any Port of this Kingdom, in which there is a Customer or Collector, all such Goods of the Produce and Manufacture of *Great Britain*, as may now be lawfully exported, and that without paying any Subsidy or other Duty whatsoever; (other than the Goods touching which an Exception is before made in this Act) so as an Entry be first made thereof in the Custom-House where the same shall be exported, expressing the Quantities and Qualities of the respective Goods, and so as the same be shipped by the proper Officer: On Failure whereof, the Goods to be liable to the Payment of the Duties, as if this Act had never been made.

XV. *Stat. 8 G. c. 18. Señ. 3.* For the preventing Frauds committed to the Prejudice of the Revenue, in the clandestine running of Goods imported, and in relanding Certificate Goods, as well as in exporting Wool, and the Coin of this Kingdom, by Watermen and others, in Boats, &c. rowed with six, eight, or twelve Oars, built on Purpose for the smuggling Trade, It is enacted, That after 25 *March* 1722, if any Boat, Wherry, Pinnace, Barge, or Galley, rowing or built to row with more than four Oars, shall be found upon the Water, or in any Bargehouse, Workhouse, Shed, or other Place, within any of the Counties of *Middlesex*, *Surrey*, *Kent*, or *Essex*, or in the River of *Thames*, above or below *London-Bridge*, or within the Limits of the Ports of *London*, *Sandwich*, or *Ipswich*, or the Members or Creeks to them belonging, such Boat, &c. with her Tackle and Furniture, or the Value thereof, shall be forfeited, and shall and may be seized by any Officer of the Customs; and the Owner thereof, or any Persons using or rowing in such Boat, &c. shall forfeit 40*l.* and such Seizure and Forfeiture shall be prosecuted in the Manner after mentioned; and after Seizure and Condemnation, the principal Officers of the Customs in the Port or Place where such Boat, &c. shall be at the Time of such Condemnation, are to cause such Boat, &c. to be burnt, and the Tackle, &c. to be publickly sold to the best Advantage, the Produce whereof to be divided as herein after mentioned, the Charges of Prosecuting, Selling, and Burning, being first deducted.

XVI. *Señ. 4.* This Act shall not extend to any Barge or Gally belonging to the King or Royal Family, or to any Long-Boat, Yaul, or Pinnace, belonging to any Merchant-Ship, or to such Boat, &c. as shall be licensed by the Lord High Admiral, or Commissioners of the Admiralty; which Licences shall be in Writing sign'd by the Lord High Admiral, &c. and shall be granted without Fee or Charge.

XVII. *Señ.* 5. No such Licence shall be granted but upon Security to be given to his Majesty by the Owner of such Boat, &c. by Bond, in such Penalty as the Lord High Admiral, &c. shall find to be reasonable, with Condition, That the same shall not be made Use of in the clandestine Running of uncustomed and prohibited Goods: Which Security the Lord High Admiral, &c. are required to take for the Use of the King, &c.

XVIII. *Señ.* 6. After 25 *March* 1722, all Persons found passing (knowingly and wittingly) with any foreign Goods landed from any Ship, without due Entry and Payment of the Duties, in their Custody, from any of the Coasts of this Kingdom, or within 20 Miles of the said Coasts, and shall be more than five in Company, or shall carry any offensive Arms, or wear any Vizard or other Disguise, when passing with such Goods; or shall forcibly hinder or resist any Officers of the Customs or Excise in the seizing any Sorts of run Goods, shall be deemed Runners of foreign Goods, within the Meaning of this Act; and (being convicted of any the said Offences) shall be adjudged guilty of Felony, and be transported to some of the Plantations in *America* for seven Years, in the same Manner as Felons are appointed to be transported by 4 G. c. 11, and 6 G. c. 23. And if such Offender shall return into *Great Britain* or *Ireland*, before the Expiration of the said seven Years, he shall suffer as a Felon, and have Execution awarded against him, as a Person attainted of Felony, without Benefit of Clergy.

XIX. *Señ.* 7. If any Runner of foreign Goods shall, within two Months after his Offence, and before Conviction, discover two or more of his Accomplices, to the Commissioners of the Customs or Excise, so as they be convicted, he shall receive 40*l.* for every Offender so convicted, as a Reward for such Discovery; so as the Value of the Goods recover'd for the King's Use, shall exceed 50*l.* and he shall be acquitted of his Offence.

XX. *Señ.* 8. If any other Person shall, within three Months after such Offence, discover to the said Commissioners any Person who shall have been guilty of such Offence, so as he be convicted thereof, such Discoverer shall have the like Reward of 40*l.* for every such Offender, over and above any other Reward or Recompence to which he may be entitled on Account of the Goods so carried away, which shall be recovered by Means of such Discovery, or on Account of the Penalties recovered for running the said Goods; so as the Value of the Goods recovered for the King's Use shall exceed 50*l.*

XXI. *Señ.* 9. The Commissioners of the Customs and Excise shall cause the several Rewards of 40*l.* to be paid by their

their Receivers General or Cashiers, out of any publick Money in their Hands, under the Management of the said Commissioners, in Proportion to the Duties payable on the Goods so clandestinely run, for which such Person shall be convicted, upon producing to them a Certificate under the Hand of the Judge or Justice of the Court before whom such Offender shall be tried, certifying his Conviction: And the Money paid by the Receivers or Cashiers shall be allowed in their Accounts as so much paid to the King; and they are hereby discharged thereof.

XXII. *Seft.* 10. If any Person shall receive or buy any Goods clandestinely run or imported, before the same shall be legally condemned, knowing the same to be so clandestinely run, and shall be thereof convicted upon his Appearance or Default, on the Oath of one or more Witnesses, or by Confession of the Party, before one or more Justices of the Peace of the County, &c. where the Offence shall be committed, or the Offender found, he shall forfeit 20*l.* one Moiety to the Informer, the other to the Poor of the Parish; to be levied by Distress and Sale of the Offender's Goods, by Warrant under the Hand and Seal of the Justices; and for Want of Distress he shall be committed to Prison without Bail for three Months.

XXIII. *Seft.* 15. If any Person shall be guilty of any Offence contrary to this or any other Act for the preventing the clandestine Running of customable or prohibited Goods, or of receiving such Goods into his Custody, knowing the same to be run, he may be prosecuted by Action, Bill, &c. and thereupon a *Capias* in the first Process, specifying the Sum of the Penalty sued for, shall and may issue; and such Person shall be obliged to give sufficient Bail, by natural-born Subjects or Denizens, to the Persons to whom such *Capias* shall be directed, to appear in the Court out of which it shall issue, at the Day of the Return of such Writ, to answer such Suit; and at the Time of appearing shall likewise give sufficient Bail, to answer all the Forfeitures incurred for such Offence, in Case he be convicted, or to yield his Body to Prison.

XXIV. *Seft.* 16. All Seizures of Vessels of the Burthen of 15 Tuns or under, which shall be made after 25 *March* 1722, by Virtue of 8 *A. c.* 7, or 8 *A. c.* 13, or of any other Act relating to the Customs, for carrying uncustomed or prohibited Goods from Ships inwards, or for relanding Certificate or Debenture Goods from Ships outwards; and all Seizures of Horses, or other Cattle, or Carriages, made after the said 25 *March* 1722, for being used in the removing or conveyance of such Goods, shall be examined into, heard, and determined, by any two Justices of the Peace residing near the

the Place where such Seizure shall be made, in such Manner, and after such Summons, or publick Notice given, as by 6 G. c. 21, Seizures of Brandy, &c. (except as herein is excepted) may be examined into and determined; and their Judgments therein shall be good in Law, final, and not liable to any Appeal or *Certiorari*.

XXV. *Seft.* 17. Any two Justices for *London* and *Westminster*, shall have the like Power in determining such Seizures as shall be made within those Cities, as any two Justices of any other County or Place have.

XXVI. *Seft.* 18. If any Goods brought or coming into any Port within this Kingdom, from any other Port within the same, by Coast-Cocquet, Transire, Lett, Pass, or Certificate, in any Vessel, shall, after 25 *March* 1722, be unshipped to be landed or put on Shore, before such Cocquet, &c. be deliver'd to the Customer, or Collector, and Controller of the Port or Place of her Arrival, and Warrant or Suffe-
 rance made and given from such Customer, &c. for landing thereof; the Master, Purser, Boatswain, or other Mariner taking Charge of such Ship, knowing and consenting there-
 to, shall forfeit the Value of the Goods so unshipped; and if any Goods of foreign Growth or Manufacture, coming Coast-
 wise, shall be landed without the Presence of an Officer of the Customs, such Goods, or the Value, shall be forfeited.

XXVII. *Seft.* 23. The Penalties and Forfeitures in this Act shall be prosecuted by Bill, &c. in any of the Courts at *Westminster*, or in the *Exchequer-Court* at *Edinburgh* (except where it is in this Act otherwise directed) one Moiety to the Crown, the other to the Prosecutor.

XXVIII. *Seft.* 26. Persons sued for any Thing done in Pursuance of this Act, may plead the General Issue, &c. and the Defendant, on a Verdict, &c. shall recover treble Costs.

XXIX. *Seft.* 27. This Act shall continue for two Years, commencing from 25 *March* 1722, and from thence to the End of the next Session of Parliament.

XXX. Stat. 9 G. c. 8. *Seft.* 8. So much of the Act 5 G. c. 11. Against clandestine Running of uncustomed Goods, and for the more effectual preventing of Frauds relating to the Customs, as relates to such foreign Goods as shall be taken in at Sea out of any Ship or Vessel, in order to be landed, or put into any other Ship, &c. and as relates to Goods not reported, and found after clearing Ships, and as provides farther Remedies against relanding Goods prohibited to be worn in this Kingdom, and foreign Goods shipp'd out for Parts beyond the Seas; and as relates to the opening or altering the Pack-
 age of Goods on board Ships outward bound; and as relates to hovering Ships of the Burthen of 50 Tuns or under, and

as concerns the Bales or Package in which Coffee shall be exported, as was to continue in Force for three Years from 25 *March* 1719, and from thence to the End of the next Session of Parliament; and so much of the said Act as relates to Rum imported in Casks not containing 20 Gallons at least, which was to continue for three Years from 29 *Sept.* 1719, and to the End of the next Session of Parliament; and so much of the said Act as relates to Certificate Goods enter'd to be exported to *Ireland*, which was to continue in Force for three Years from 1 *May* 1719, and to the End of the next Session of Parliament, shall be continu'd for the Purposes therein mentioned, after the Expiration of the several Terms before mentioned, for five Years, and from thence to the End of the then next Session of Parliament.

XXXI. Stat. 9 G. c. 21. Sect. 1. After 1 *June* 1723, the Customs and other Duties, now under the Management of the respective Commissioners of the Customs of *England* and *Scotland*, shall and may be put under the Management of one Commission of the Customs for the whole United Kingdom, or of several Commissions for *England* and *Scotland* respectively, as his Majesty shall judge to be most for the Advantage of Trade, and Security of his Revenues.

XXXII. Sect. 2. His Majesty, by his Commission under the Great Seal, may encrease the Number of the Commissioners, as shall be thought proper for carrying on the said Service; and in such Commission may make Provision for putting in Execution the Laws relating to the Customs.

Dagenham Breach.

I. Stat. 7 G. c. 20. Sect. 31. The Trustees for stopping *Dagenham Breach* are required, out of the Monies collected by Virtue of 12 A. Sect. 2. c. 17, to pay to Captain *John Perry*, his Executors, &c. the further Sum of 15,000 *l.* And declared, That the three Years for which the said *J. P.* was to maintain the Works, did commence from 19 *July* 1718, being the Day on which the Breach was first reported to be stop't according to his Contract; the Damage that hath since happened being now sufficiently repaired.

Deer-Stealers.

I. Stat. 9 G. c. 22. For the more effectual punishing wicked and evil-disposed Persons going armed and in Disguise,

guise, who have associated themselves under the Name of Blacks, and enter'd into Confederacies to support and assist one another in doing Injuries and Violences to the Persons and Properties of his Majesty's Subjects, it is enacted,

Sect. 1. That if any Persons, after 1 *June* 1723, being armed with Swords, Fire-Arms, or other offensive Weapons, and having their Faces blacked, or being otherwise disguised, shall appear in any Forest, Chase, Park, Paddock, or Grounds enclosed with any Wall, Pale, or other Fence, wherein any Deer are kept, or in any Warren or Place where Hares or Conies are kept, or in any Highway, Heath, Common, or Down; or shall unlawfully hunt, kill, or steal any red or fallow Deer, or rob any Warren; or steal any Fish out of any River or Pond; or if any Persons shall, after the said 1st of *June*, unlawfully hunt, &c. any red or fallow Deer in any of his Majesty's Forests or Chaces, inclosed with Pales, Rails, or other Fences, or in any Park, &c. inclosed; or shall maliciously break down the Head of any Fish-Pond, whereby the Fish shall be lost or destroyed; or shall kill, maim, or wound any Cattle, or cut down or otherwise destroy any Trees planted in any Avenue, or growing in any Orchard, Garden, or Plantation, for Ornament, Shelter, or Profit; or shall set fire to any House, Barn, or Out-house, or to any Hovel, Cock, Mow, or Stack of Corn, Straw, Hay, or Wood; or shall maliciously shoot at any Person in any Dwelling House, or other Place; or shall knowingly send any Letter without a Name subscribed, or signed with a fictitious Name, demanding Money, Venison, or other valuable Thing; or shall forcibly rescue any Person, being lawfully in Custody of an Officer, or other Person, for any of the said Offences; or if any Person shall by Gift, or Promise of Money, or other Reward, procure any other to join him in any such unlawful Act; every Person so offending, being thereof lawfully convicted, shall be adjudged guilty of Felony, and shall suffer Death as a Felon, without Benefit of Clergy.

II. Sect. 2. Every Person who since 2 *Feb.* 1722, has been guilty of any of the said Offences, who shall not surrender himself before 24 *July* 1723, to any of the Justices of the *King's Bench*, or to one of the Justices of the Peace for the County where he committed the Offence, and make a full Confession thereof, and a true Discovery upon Oath, of his Accomplices, by giving a true Account of their Names, Occupation, and Places of Abode, and to the best of his Knowledge or Belief, discover where they may be found, shall, on Conviction, be adjudged guilty of Felony, and suffer Death as in such Cases, without Benefit of Clergy.

III. *Seft.* 3. Every Person who has been guilty of any the said Offences, and shall not be in Custody for the same on the said 1st of *June*, and shall surrender himself on or before the said 24th of *July*, and shall make such Confession and Discovery, shall be pardoned and acquitted of the Offences so by him confessed.

IV. *Seft.* 4. If any Person shall be charged with any of the said Offences, before any two Justices of the County where the same were committed, by Information of one or more credible Persons on Oath by him or them to be subscribed, such Justices shall forthwith certify under their Hands and Seals, and return such Information to one of the Principal Secretaries of State, who is required to lay the same before his Majesty in Privy Council; whereupon his Majesty may make his Order in his said Privy Council, commanding such Offender to surrender himself within 40 Days, to any of the Justices of the *King's Bench*, or to a Justice of Peace, that he may be forth-coming to answer the Offences wherewith he shall so stand charged: Which Order shall be printed in the next *London Gazette*, and forthwith transmitted to the Sheriff of the County where the Offence shall be committed, and shall within six Days after the Receipt thereof, be proclaimed by him or his Officers, between the Hours of ten in the Morning and two in the Afternoon, in the Market-Places, on the Market-Days, of two Market-Towns in the same County, near the Place where such Offence was committed; and a Copy of the Order shall be affixed in some publick Place in such Market-Towns; and if such Offender shall not surrender himself pursuant to such Order, he shall, from the Day appointed for his Surrender, be deemed to be convicted and attainted of Felony, and shall suffer Pains of Death, as in Case of a Person convicted and attainted by Verdict and Judgment of Felony, without Benefit of Clergy; and the Court of *King's Bench*, or the Justices of Oyer and Terminer, or General Gaol-Delivery for the County, where the Offence is sworn in such Information to have been committed, upon producing to them such Order in Council, under the Seal of the said Council, may award Execution against such Offender, in such Manner, as if he had been convicted in the said Court of *King's Bench*, or before such Justices, &c.

V. *Seft.* 5. Every Person, who, after the Time appointed for the Surrender of any Person so charged, is expired, shall conceal, aid, abet, or succour him, knowing him to be so charged, and required to surrender, being convicted thereof, shall suffer Death as a Felon, without Benefit of Clergy.

VI. *Seft.* 6. Nothing herein contained shall hinder any Judge, Justice of the Peace, Magistrate, Officer or Minister of

of Justice, from apprehending and securing such Offenders, against whom such Information shall be given, and such Order in Council made: And if such Offenders be taken, in Order to be brought to Justice, before the Time be expired, within which they shall be required to surrender themselves, then no farther Proceedings shall be had upon such Order in Council, but they shall be brought to Trial by due Course of Law.

VII. *Seç.* 7. After 1 June 1723, the Inhabitants of every Hundred in *England* shall make full Satisfaction to all Persons, their Executors, &c. for the Damages they shall have sustained by the killing and maiming of Cattle, destroying of Trees, setting Fire to any House, Barn, &c. which shall be done by any Offender against this Act; and Persons sustaining such Damages are enabled to sue for the same, the Sum to be recovered not exceeding 200*l.* against the Inhabitants of the Hundred, who are made liable to answer the same; and if such Persons shall recover in such Action, and sue Execution against any of such Inhabitants, all the other Inhabitants of the Hundred shall be ratably and proportionably taxed towards an equal Contribution for the Relief of such Inhabitant, against whom such Execution shall be had; which Tax shall be raised by such Ways and in such Manner, as is prescribed for the raising Damages recovered against the Inhabitants of Hundreds in Cases of Robbery, by the Act 27 *Eliz. c.* 13, *For the following Hue and Cry.*

VIII. *Seç.* 8. No Persons shall recover Damages by Virtue of this Act, unless they or their Servants within two Days after such Damage done them, give Notice of such Offence to some of the Inhabitants of some Town, Village or Hamlet, near the Place where such Fact shall be committed; and shall, within four Days after such Notice, give in their Examination upon Oath, or the Examination upon Oath of their Servants, that had the Care of their Houses, &c. before any Justice of the Peace of the County, &c. where the Fact shall be committed, inhabiting within or near the said Hundred, whether they know the Persons that committed such Fact; and if they confess that they do know the Persons, or any of them, then they shall be bound by Recognizance to prosecute the Offenders.

IX. *Seç.* 9. Where any one of the Offenders shall be apprehended and convicted within six Months after the Offence, no Hundred, or any Inhabitant thereof, shall be liable to make Satisfaction to the Party injured.

X. *Seç.* 10. No Person who shall sustain any Damage by Reason of any Offence contrary to this Act, shall be enabled to sue the Hundred, except he commence his Action within one Year after the Offence.

XI. *Seç.*

XI. *Seft.* 11. 'Any Justice of the Peace may issue his Warrant to any Constable, Headborough, or other Peace-Officers, to enter into any House to search for Venison stollen, contrary to the Statutes against Deer-Stealers, in such Manner as he may issue his Warrant to search for stollen Goods.

XII. *Seft.* 12. If any Person shall apprehend or cause to be convicted any of the Offenders above mentioned, and shall be killed, or wounded so as to lose an Eye, or the Use of any Limb, in apprehending, or endeavouring to apprehend such Offenders, on Proof thereof at the General Quarter-Sessions for the County, &c. where the Offence was committed, the Justices shall give a Certificate thereof to the Person so wounded, or the Executors, &c. of the Party so killed, which shall entitle them to receive of the Sheriff of the County 50*l.* to be allow'd the Sheriff in passing his Accounts; which 50*l.* the Sheriff is required to pay within 30 Days from the Day on which the Certificate shall be shewn him, on the Forfeiture of 10*l.* to the Person to whom the Certificate is given; for which 10*l.* as well as the 50*l.* such Person may bring his Action upon the Case against the Sheriff, as for Money had and received to his Use.

XIII. *Seft.* 13. Any Prosecution for any Offence against the Statute 3 & 4 *W. & M. c.* 10. *For the more effectual Discovery and Punishment of Deer-Stealers,* shall be commenced within three Years from the Time of the Offence committed, but not after.

XIV. *Seft.* 14. Every Offence against this Act may be enquired of and tried in any County in *England*, as if the Fact had been therein committed: But no Attainder for any of the Offences made Felony by this Act, shall make any Corruption of Blood, Loss of Dower, or Forfeiture of Lands or Tenements, Goods or Chattels.

XV. *Seft.* 15. This Act shall be openly read at every Quarter-Sessions, and at every Leet or Law-Day.

XVI. *Seft.* 16. This Act shall continue in Force from 1 *June* 1723, for three Years, and from thence to the End of the next Session of Parliament.

XVII. *Seft.* 17. If any Venison, or Skin of a Deer, shall be found in the Custody of any Person, and it shall appear that such Person bought it of one, who might be justly suspected to have unlawfully come by the same, and does not produce the Party of whom he bought it, or prove on Oath the Name and Place of Abode of such Party, then the Person who bought it, shall be convicted of such Offence by one or more Justices of the Peace, and shall be subject to the Penalties inflicted for killing a Deer, by the Act 3 & 4 *W. & M. c.* 10.

Drugs &c. used for Dying.

I. Stat. 8 G. c. 15. Sect. 10. For Encouragement of the Manufactures of this Kingdom, by promoting the Importation of Drugs and other Goods used for Dying, It is enacted, That after 25 March 1722, it shall be lawful to import all Sorts of Drugs and other Goods herein after enumerated, which are used for Dying, viz. Agarick, Annotto, Antimonium crudum, Aqua Fortis, Argoil, Arsenick, Bayberries, Brazil Wood, Braziletto Wood, Cochineal, Cream of Tartar, Fustick, Galls, Gum Arabick, or Gum Seneca, Indico of all Sorts, Isinglass, Litmus, Logwood, Madder of all Sorts, Madder-Roots, Nicaragua Wood, Orchal, Orchelia, Pomegranate Peels, Redwood, Saflower, Sal-Armoniack, Sal-gem, Sappan Wood, Red Saunders, Shoemack, Sticklack, Turnsole, Valonia, and Verdegrease, without paying any Subsidy or Custom whatsoever, (Salt-Petre always excepted) so as a due Entry be first made thereof in the Custom-house belonging to the Port into which they shall be imported, expressing the Quantities and Qualities of the Goods; and so as the same be landed in Presence of the proper Officer, and that such Importation be according to the Rules prescribed in 12 Car. 2. c. 18, For encouraging and encreasing of Shipping and Navigation; and on Failure of the said Conditions, the said Goods shall be liable to the Payment of the Duties, as if this Act had never been made.

II. Sect. 11. On all Foreign Goods used for Dying, which shall be imported Duty-free by Virtue of this Act, and that, after 25 March 1722, shall be again exported, there shall be paid a Subsidy of Poundage upon the Value of 20s. according to the Rates hereafter mentioned, the Sum of 6d. and after that Rate for greater or lesser Quantities, viz.

	l.	s.	d.
Agarick trimmed or prepared, per lb —————	—	6	8
Agarick rough and untrimmed, per lb —————	—	1	8
Annotto per lb —————	—	1	—
Antimonium Crudum per C. Weight —————	—	6	8
Aqua Fortis the Bottle, containing 4 Gallons — 2	2	5	—
Argoil per C. Weight —————	1	3	4
Arsenick per lb —————	—	—	1 ¹ / ₂
Bayberries per C. Weight —————	—	4	5 ¹ / ₂
Brazil or Farnamback Wood per C. Weight — 1	1	15	—
Braziletto or Jamaica Wood per C. Weight — 1	1	1	8
Cochineal per lb —————	—	6	8
Cream of Tartar per C. Weight ————— 2	2	—	—
Fustick per C. Weight —————	—	5	—
Galls per C. Weight ————— 2	2	—	—
Gum			

78 Drugs, &c. Erchequer-Bills.

Gum Arabick or Gum Seneca <i>per C. Weight</i>	—	10	—
Indico <i>per lb</i>	—	3	4
Ilinglafs <i>per C. Weight</i>	1	13	4
Litinus <i>per C. Weight</i>	1	—	—
Logwood <i>per C. Weight</i>	2	—	—
Madder <i>per C. Weight</i>	1	10	—
Madder Roots <i>per lb</i>	—	—	4
Nicaragua Wood the Tun Weight	8	—	—
Orchal <i>per C. Weight</i>	2	—	—
Orchelia <i>per C. Weight</i>	1	—	—
Pomegranate Peels <i>per C. Weight</i>	—	13	4
Red Wood or Guinea Wood <i>per C. Weight</i>	1	10	—
Safflower <i>per lb</i>	—	1	—
Sal-Armoniack <i>per lb</i>	—	—	6 $\frac{1}{2}$
Sal-Gem <i>per lb</i>	—	—	2 $\frac{1}{2}$
Sapan Wood <i>per C. Weight</i>	—	10	—
Red Saunders <i>per C. Weight</i>	1	6	8
Shocmack <i>per C. Weight</i>	—	13	4
Sticklack <i>per lb</i>	—	—	4
Turnsole <i>per lb</i>	—	—	2 $\frac{1}{2}$
Valonia <i>per Tun Weight</i>	7	—	—
Verdegreafe <i>per lb</i>	—	—	6 $\frac{1}{2}$

Which Subsidy of 6*d.* on the Exportation of Goods used in Dying, shall have such or the like Continuance, and shall be raised, &c. by such Ways and Means, and under such Penalties, and with such Allowances for Goods lost or taken at Sea, and in such Manner and Form, as the Subsidy of Poundage on Goods exported, may be raised, &c. by any Law of the Customs now in Force.

III. *Seft.* 12. The Produce of the Subsidy hereby granted, (Charges of Management excepted) shall be appropriated to the same Uses, and in the same Proportion, Manner and Form, and subject to such Redemption, as the Subsidy of Poundage on other Goods exported; and all the Powers, Penalties, &c. contain'd in any Acts now in Force, shall be put in Execution for appropriating this Subsidy accordingly, as fully as if the same were again repeated in this Act.

Erchequer-Bills.

I. *Stat.* 6 *G. c.* 2. *Seft.* 8. The Commissioners of the Treasury, or any three of them now being, or the High-Treasurer, or any three Commissioners for the Time being, may, at any Time or Times, when, and so often as they shall think fit, by publick Notice, or by several publick Notices in Writing, to be affixed upon the *Royal Exchange*, and published

lished in the *London Gazette*, prefix a certain Day, or several Days, when the Interest of one Penny *per Cent. per Diem*, payable on all or any of the Exchequer-Bills, by Virtue and in Pursuance of 5 G. c. 3. shall cease and determine.

II. Stat. 6 G. c. 4. Sect. 69. The Treasury shall, by public Notice in Writing to be affixed upon the *Royal Exchange* and publish'd in the *Gazette*, prefix a certain Day by or before which the residuary Exchequer-Bills uncanceled, amounting to 896,662*l.* 10*s.* or thereabouts, shall be brought in and delivered to such Persons as the Treasury shall appoint to receive the same at or near the Exchequer, to be exchanged for new Bills; and all such of the said residuary Bills as shall not be brought in upon such Notice to be exchanged for new Bills, shall lose their Currency; and no Interest shall grow due thereon after the Day prefixed.

III. Sect. 70. The Treasury shall cause new Bills to be prepared and made out at the Exchequer, in such Method as they shall think convenient, for any Sum whose Principal shall not exceed 896,662*l.* 10*s.* adding thereto the Interest Monies which shall be due thereon; which new Bills shall bear an Interest not exceeding 2*d.* *per Cent. per Diem*. The Treasury shall cause the said residuary Bills to be canceled, and as fast as they are so, new Bills, containing the like principal Sums shall be delivered to the Bearer; and such of the new Bills as shall be delivered to Tellers as Bearers, shall be placed in their respective Offices as so much Cash.

IV. Sect. 71. On Proof on Oath of one or more credible Witnesses before a Baron of the *Exchequer*, that any of the said residuary Bills have by Mischance been lost, burnt, or otherwise destroyed, before 2 Feb. 1719, and the Numbers and Sums of such Bills being ascertained by such Oath; and if the Baron before whom such Proof was made, shall certify that he is satisfy'd in such Proof, the Treasury shall cause a new Bill to be delivered in Lieu of the Bill so certified to be lost, &c. Provided the Person receiving the same, do give Security to his Majesty (to the good Liking of the Person appointed to take in the old Bills) to pay into the Exchequer for the Use of the Publick, so much Money as is contain'd in such new Bill, if the original Bill be afterwards produced.

V. Sect. 72. The *South-Sea Company* being willing, during seven Years from *Midsummer* 1720, to furnish to Trustees so much ready Money as shall be sufficient to enable them to exchange the Bills to be made forth by this Act, upon Demand, and are also willing at their own Charges to bear and allow so much as shall be paid by the Trustees for Interest on the

the Bills so to be exchanged within the said Term: And if in this or any future Session of Parliament, any Act or Acts shall be made for making farther Sums in Exchequer-Bills, to be current within the said Term of seven Years, at the Exchequer, and in the publick Revenues and Taxes, upon Credit of a Fund or Security, or of Monies to be borrowed thereupon, as by Authority of Parliament shall be established; then the said Company is willing to furnish a proportional Part of such ready Money as will enable the Trustees to exchange and circulate the Bills; viz. as the principal Money in all the Bills then uncanceled shall be to 1,000,000*l.* so the whole Sum necessary to support the Currency of the said Bills shall be to the proportional Part to be furnish'd by the Company. Therefore it is enacted, That the Treasury shall nominate three Trustees, and the Company three others, for executing the Trusts relating to the Exchequer-Bills, by this Act intended; and upon such Nomination, the Treasury shall, by Writing under their Hands and Seals (to be register'd in the Office of the Auditor of the Receipt, and enrolled in that of the Clerk of the Pells) constitute the Persons so nominated to be Trustees for circulating Exchequer-Bills: And the said Trustees shall keep an Office at or near the Exchequer, to which the Bearers of the said Bills may at all reasonable Times of the Day, (*Sundays and Holydays* excepted) resort, to have their Bills exchanged for ready Money, on Demand.

VI. *Seç.* 73. The Company shall, during the said seven Years, furnish the Trustees with Money sufficient to enable them to exchange the Bills, by paying all the principal Monies contain'd in every such Bill, and the Interest due thereon, so as all the principal Sums to be contained in the new Bills, do not exceed 1,000,000*l.* And the Company shall at their own proper Costs and Charges, allow the Interest which shall be paid by the Trustees upon the Bills so exchanged.

VII. *Seç.* 74. The Trustees, on exchanging every such Bill, shall take in the Bill so exchanged, and shall stand possessed of the same in Trust for the Company, and shall be answerable to them for the Principal, and for the Interest, to grow due thereon, during the Time they shall be in the Hands of the Trustees; or the Value thereof in like Bills.

VIII. *Seç.* 75. If during this or any future Session any other Act be made for making forth any further Sums in Exchequer-Bills, to be circulated by Trustees at or near the Exchequer, and to be current within the said seven Years; then the Company shall furnish and pay to the Trustees, only a proportional Part of such ready Money as shall enable them to exchange the said Bills, to be ascertain'd in the Manner before mentioned: And the Company shall likewise bear a like Proportion of the Money allow'd by the Trustees
for

for Interest on the said Bills so exchanged: The Trustees nevertheless shall take in the said Bills, and be answerable to the Company for such Part of the Principal contain'd therein, and the Interest to grow due thereon, during the Time they shall be in the Hands of the said Trustees, as shall bear a just Proportion to the Monies the Company shall have advanced for exchanging the same, which shall be made good to the Company out of the same, or other Exchequer-Bills then current.

IX. Sect. 76. The Trustees shall once in 14 Days at the farthest, deliver to the Treasury and the Company, or to their Court of Directors or Cashier, a perfect Account in Writing signed by four or more of them, of all the Monies furnished to them for exchanging the said Bills, distinguishing how much thereof shall have been furnished by the Company, and how much on Account of the Publick, pursuant to any future Act in that Behalf: And how much of the same furnished by the Company, ought to be allow'd by them for Interest, or the proportional Part thereof which they ought to bear at their own Charge; and shall, together with such Account, deliver to the Company so many Exchequer Bills then current, as by the Monies then due thereon, shall amount to the Principal Sums contain'd in the Bills exchanged with the Company's Money.

X. Sect. 77. The Treasury, upon receiving any such Account, by Notice in Writing to be left at the Company's Office, may call for any Sums to be paid by them to the Trustees, (not exceeding 100,000 *l.* at a Time) for the exchanging and circulating Exchequer-Bills, as they shall judge necessary; and the Company shall furnish the same within 14 Days after such Notice.

XI. Sect. 78. The Trustees (being furnished with Money) shall upon Demand exchange for ready Money all such Bills, to be made forth by Virtue of this or any future Act, at their publick Office, during the said Term of seven Years.

XII. Sect. 79. Persons having such Bills on which six Months Interest, or more, shall be due, may demand the same of the Trustees, who are required to pay it accordingly.

XIII. Sect. 80. No Governor, Sub-Governor, Director, &c. of the Company, nor any of the Trustees, or other Persons employ'd in circulating the said Bills, pursuant to this Act, shall for that Cause only be disabled from being a Member of Parliament, or liable to the Statutes against Bankrupts.

XIV. Sect. 81. All Exchequer-Bills, that shall be current within the said Term of 7 Years, shall be received by the Receivers and Collectors in Great Britain, of the Customs, Excise, or any Revenue or Tax whatsoever, payable to the Crown; and also at the Exchequer from the said Receivers

and Collectors, or from any other Person making any Payment or Loan to the Crown: And such of the said Bills as shall be received at the Exchequer, shall be locked up as Cash, according to the Course of the Exchequer for locking up of Monies received there: And all Receivers and Collectors of the Revenues having Monies in their Hands shall exchange them for ready Money if desired; and on Refusal for 24 Hours, the Person demanding the same, may bring an Action of Debt, or on the Case, against such Receiver or Collectors, in which Action the Plaintiff may declare, That such Receiver, &c. is indebted to him in the Money demanded upon such Bill, according to the Term of the Statute, and hath not paid the same; and the Plaintiff shall recover not only the Monies so refused to be paid, but also Damages and Costs; and in such Action no Effoin, &c. shall be allow'd, or more than one Impar lance; and upon Payment of the Money so recovered, the Plaintiff, his Executors, &c. shall deliver up such Bill to the Defendant, &c.

XV. *Seet.* 82. If such Bills shall be paid or lent into the Exchequer, the Officers there shall cause Tallies to be levied and delivered to the Payers or Lenders, as if they had made such Payments or Loans in Specie.

XVI. *Seet.* 83. The Interest on such Bills shall be allowed to Persons paying the same to Receivers or Collectors, or by Way of Exchange, or paying or lending the same into the Exchequer, to the respective Days on which they shall be so paid, exchanged or lent.

XVII. *Seet.* 84. No Interest shall be paid on such Bills, while they remain in the Hands of Receivers, Collectors or Tellers, but for such Time the Interest shall cease; and the *South-Sea Company* shall not be obliged to bear any Part of the Interest so saved.

XVIII. *Seet.* 85. And that it may be known for what Time the Bills shall remain in the Hands of Receivers or Collectors, or in the Exchequer, the Persons paying the same shall endorse their Names, and write in Words at Length the Day of the Month and Years in which they paid, lent or exchanged the same; all which the Receivers, Collectors and Tellers shall take Care to see done; to which respective Days the Receivers and Collectors shall be allow'd again the Interest which they shall have paid upon such Bills, upon their paying the same into the Exchequer.

XIX. *Seet.* 86. The said Bills may be re-issued out of the Exchequer, and then the Teller from whose Office they shall be so re-issued, shall endorse on each Bill in Words at Length the Day of the Month and Year in which they were so re-issued, and also on what Account they were last received into

into the Exchequer, and sign the same; from which Time the Interest on such Bills shall revive.

XX. Sect. 87. The same Bills to be re-issued, shall be so re-issued for the Principal Money to be contained therein, and for so much Interest as was due thereon, and allowed by the Teller at the Time when such Bills were last paid in to the Exchequer.

XXI. Sect. 88. Every Receiver General of any Revenues belonging to the Crown, shall keep fair Books in Writing, in which he or his Deputy shall enter all the Sums by them received, together with the Names of the Collectors from whom they received the same, the Days when, and the Sums paid, how much in Money, and how much in Exchequer-Bills, and what Exchequer-Bills shall have been exchanged by them, to which Accounts all Persons concerned may have free Access without Fee; and the said Accounts shall lie open at a certain Place within the Limits of his Receipt for that Purpose. And every Receiver General neglecting to keep such Book, or to enter the Money received by the Space of three Days after the Receipt thereof, or refusing Persons concerned to inspect such Books, shall for every Offence forfeit 100*l.* to the Prosecutor, to be recovered by Action of Debt, &c. in any Court at *Westminster*; wherein no Effoin, &c. shall be allow'd, or more than one Imparlance.

XXII. Sect. 89. If any of the Exchequer-Bills made forth by this Act, shall be filled up by Endorsements, or by any Accident be defaced, the Treasury shall cause new Bills to be made forth in Lieu of such Bills so filled up or defaced, which shall be cancelled, and kept on Files at the Exchequer, and the new Bills so made forth shall have a like Currency, and shall in all Respects be subject to the like Rules, &c. as the Bills so filled up, &c. and shall bear the same Numbers, Dates, and Principal Sums, and carry the like Interest, as were born and carried by the Bills so cancelled.

XXIII. Sect. 90. For the greater Ease and Dispatch of publick Business at the Exchequer, the Treasury, if they think fit, may, at the Request of the Court of Directors of the *South-Sea Company*, cause Exchequer-Bills for large Sums, not exceeding 5000*l.* each, to be made forth, and placed as Cash in the Exchequer, in Lieu of the like Value of the Principal, contained in Exchequer-Bills made forth by this Act for lesser Sums, which at the Time of making such large Bills shall happen to be in the Receipt; and shall be cancelled, and kept there on a File for that Purpose: Which new Bills for large Sums shall have the like Currency, and be subject to the same Rules, &c. and carry the like Interest,

and have the same Security and Benefit; and the same Pains of Death, and other Penalties, &c. for any Offence relating thereto, shall be inflicted, as if they had been Bills originally issued by Virtue of this Act.

XXIV. *Señ.* 91. Persons forging or counterfeiting any Exchequer-Bill made forth or renewed in Pursuance of this Act, or any Endorsement thereupon, or tendering in Payment such forged Bill, or with such counterfeit Endorsement thereon, or demanding to have any such Bill exchanged for ready Money by any Person hereby required to exchange the same, knowing the Bill so tender'd or demanded to be exchanged, or the Endorsement thereon to be forged or counterfeit, and with Intent to defraud the Crown, the Company, the Trustees, or any other Person, then the Offender, being convicted thereof, shall be adjudged a Felon, and suffer Death without Clergy.

XXV. *Señ.* 92. The Trustees shall have the Use and Custody of one Part of all the Cheques, Indents, or Counterfoils of all the Exchequer-Bills to be current on this Act, to prevent their being imposed upon by counterfeit or forged Bills; which Cheques, &c. shall be deliver'd back into the Exchequer, at the End or sooner Determination of the said Term of seven Years.

XXVI. *Señ.* 93. The Trustees shall not be obliged to pay for Interest to any lesser Sum than one Penny, in Case a single Bill be produced for Payment, or for the Total of the Interest of such Bills, where two or more shall be offered at one Time by the same Person.

XXVII. *Señ.* 94. If at any Time hereafter, Provision be made by Parliament of so much Money in the lawful Coin of this Kingdom, as will be sufficient to discharge all the Principal and Interest due on the Bills to be made forth by Virtue of this Act, or any Proportion thereof at a Time, and if it shall be brought into the Exchequer for that Purpose, then the same shall be applied towards paying off the same Bills, or such Proportion thereof, so far as such Money will extend, by paying to the Bearers of the Bills then standing out, the Principal and Interest due thereon, and by placing the same coined Money, or any Part thereof, in Lieu of any the said Exchequer-Bills, which shall then be in the Office of any Teller to answer such Payments, whereunto the same Bills remaining in such Office shall then be subject: Which Payments shall be answered by the said Money in Specie, under such Penalties, &c. as are prescribed by former Statutes concerning the Money for which such Bills did lie in the Exchequer, to prevent the misapplying the same: And after such Payments to the Bearers, or such placing of Money in Lieu of Bills in the Offices of the Tellers, to answer such Payments,

Payments; (and no sooner) the Bills so paid off, or for which coined Money shall be so placed, shall be cancelled; and the *South-Sea Company* shall repay to the Tellers so much Interest as remained due on the said Bills, at the Times when they were last paid into the Exchequer before the cancelling thereof.

XXVIII. *Señ. 95.* If before 24 *June 1727*, coined Money shall not be brought into the Exchequer, sufficient to discharge the Bills made forth by this Act, then so many of them as shall not have been paid off, shall be charged upon the first Money, which after the said 24 *June 1727*, shall arise in the Exchequer by the sinking Fund; and the same Bills so remaining unsatisfy'd shall be cancelled, in such Manner as the Treasury shall direct.

XXIX. *Señ. 96.* The Court of Directors of the *South-Sea Company*, with Consent of the Treasury, may at any Time after the End of the Session of Parliament, which shall next happen after 24 *June 1721*, by Writing to be signed by the Secretary of the same Court, and to be affix'd upon the *Exchange in London*, and by Publication in the *Gazette*, declare and direct the said Bills, to be made forth by this Act, to carry an higher Interest than 2*d per Cent. per Diem*, for the Time to be mention'd in such Writing, so as the whole Interest exceed not 3*d per Cent. per Diem*. And for the greater Accommodation and Ease of paying the said Bills, to the Receivers and Collectors of the publick Revenues, and into the Exchequer, the Treasury have hereby Power, at the Request of the said Court of Directors, to cause to be made forth any of the said Exchequer-Bills without bearing any Interest: Nevertheless such Bills may be made to carry an Interest not exceeding 3*d. per Cent. per Diem*.

XXX. *Señ. 97.* If before the said 24 *June 1727*, any Exchequer-Bills shall be made forth, and current by Authority of Parliament (other than such as shall be made forth by Virtue of this Act, or as shall be issued by Virtue of any other Act of this Session, or of any future Act upon the Credit of the Exchequer, or of Money brought into the same; or of such Money as the Treasury shall be impower'd by Parliament to borrow, to support the Currency of such Bills) then the *South-Sea Company* shall not be obliged to furnish Money for exchanging any Exchequer-Bills pursuant to this Act, or to bear or pay any Interest or Proportion of Interest, which from thenceforth shall grow due thereon.

XXXI. *Señ. 98.* The Treasury are impower'd to allow, out of the Sinking Fund, as well to the Managers and Directors to be constituted for taking in the above mention'd Annuities and Debts; and to the Persons who shall be appointed for taking in the said Orders and Tickets, and to the said Trustee

tees who shall be appointed for exchanging the said Exchequer-Bills, such Salaries and Allowances for the Charges, Pains and Service of themselves, and those employ'd under them, as the said Treasury shall judge reasonable, and also to allow out of the said Sinking Fund, the necessary Charges for taking in and cancelling the said residuary Exchequer-Bills, and making forth new Bills in Lieu thereof; and also any reasonable Charges for Books, Clerkship, or other Matter, necessarily incident for the Execution of this Act; by the Order or Direction of such Persons as shall be employ'd therein by the Treasury.

XXXII. Stat. 6 G. c. 10. The Preamble recites that whereas by the Act 3 G. c. 7, the Monies which should arise by the Sinking Fund should be appropriated for discharging such National Debts and Incumbrances as were incurred before 25 Dec. 1716, in such Manner as should be appointed by any future Acts of Parliament; and whereas by 5 G. c. 3. it was enacted, That so much of the said Sinking Fund, arising quarterly, after Lady-Day 1719, as should amount to 520,000*l.* should be applied towards discharging and cancelling the Principal and Interest due on the Exchequer-Bills therein mentioned; which Monies so arising of the Sinking Fund are likely to be very much increased; and a considerable Part of the said Sum of 520,000*l.* hath been applied towards discharging and cancelling the said Exchequer-Bills, and the Residue thereof, as the Monies shall come into the Exchequer, will be applicable to the same Use: And whereas the Sum of 328,673*l.* 4*s.* 10*d.* 2*q.* was advanced by the *South-Sea* Company, pursuant to 5 G. c. 19, and the same Sum does, on 4 April 1720, remain in the Receipt of the Exchequer: Therefore in Order to lessen the Debts of the Nation, it is enacted,

Se^t. 1. That it shall be lawful for the Treasury, at any Time within one Year from 10 May 1720, and from thence to the End of the then next Session of Parliament, by such Proportions at a Time as they shall find to be most for the Advantage of the Publick, to cause to be prepared and made forth any Number of new Exchequer-Bills, so as the Principal Sums to be contained therein do not exceed one Million, (over and above the Exchequer-Bills which are to be current, pursuant to another Act of this Session in that Behalf) which new Bills shall bear Interest not exceeding 2*d.* per Cent. per Diem, and be payable to the Bearers; but the Interest shall be saved upon such of the said Bills as shall be in the Receipt of the Exchequer, or in the Hands or Power of any Receivers or Collectors of any Taxes or Revenues payable to the Crown, during the Time they shall remain in the said Receipt, or in such Hands or Power: And the Treasury shall cause such new Bills to be placed

as Cash in the Offices of the Tellers: Every of which Tellers shall be severally charged with the Proportions of the said Bills, which shall be so placed in his Office.

XXXIII. *Seff. 2.* The Treasury may issue by Way of Loan all such Bills as shall be prepared by Virtue of this Act, to the South-Sea Company, or to Persons in Trust for them, the said Company giving Security upon their present, or to be increased yearly Fund, and upon their weekly and other Payments to be made at the Exchequer on Account of their said yearly Fund, for Repayment of the principal Sums so lent, with Interest at 5 *l. per Cent. per Annum*, at such Times as shall be agreed on between the Treasury, on Behalf of the Publick, and the said Company, or their Court of Directors, on their Behalf, so as no such Time be more remote than 1 *March* 1721, or the End of the then next Session of Parliament. And the Treasury are required to take Care, that upon Repayment of the Principal, the same, with the Interest, be received and applied, in the first Place, to the paying off and discharging the said new Exchequer-Bills to be made forth in Pursuance of this Act, and that the Surplus thereof be placed at the Receipt of Exchequer, for the same Uses to which the Monies of the Sinking Fund are applicable: And the South-Sea Company, or the Persons entrusted by them for borrowing the Monies, shall make a just Account of the Principal so borrowed, and of the Interest thereof, and of the Repayment of the same into the Exchequer; and in Default of repaying the Monies so lent, with the Interest thereof, at the Days or Times limited for that Purpose, the Treasury shall cause the Money so lent, to be stoppt out of the Monies, which weekly, or otherwise, shall be payable to the Company at the Exchequer, upon their present or to be increased Annuity, together with so much more as the Interest of the Monies so unpaid shall amount to, at the Rate of 5 *l. per Cent.* and shall cause the Principal and Interest so stoppt, to be placed in the Exchequer as aforesaid.

XXXIV. *Seff. 3.* And that the said Bills may better obtain a Currency, as well the said Sum of 328,673 *l. 4 s. 10 d. 2 q.* remaining in the Exchequer, and the Monies which (after the Application of 520,000 *l.* for discharging and cancelling Exchequer-Bills made forth by former Acts in that Behalf, or reserving sufficient thereof for that Purpose) shall arise of the Surplusses commonly called the Sinking Fund, shall be a Security for furnishing such Proportions of Ready Money as are herein after mentioned, for exchanging and circulating the Exchequer-Bills to be made forth by Virtue of this and the other Act of this Session, as often as the same Bills shall be demanded during their joint Currency: And to the End there may be no Failure in furnishing Ready Money

for answering such Demands, the Treasury are impowered to direct the Officers in the Receipt of the Exchequer, to take in, by way of Loan, such Sums in the lawful Coin of this Realm, as the said Treasury shall judge necessary for enabling them to furnish such Proportions of Ready Money for exchanging and circulating the said Bills, and supporting the Currency thereof: Which Loans shall have Interest for Forbearance, not exceeding 5 *l.* per Cent. per Annum, payable every three Months; and the Money so lent to be Tax-free; and every Lender shall have a Talley of Loan struck for the Money so lent by him, and an Order of the same Date for Repayment thereof with Interest as aforesaid: The said Orders to be register'd in Course according to their Dates, and the Lenders to be paid in Course as their Orders shall stand register'd; and the Monies of the Sinking Fund are appropriated thereto without undue Preference.

XXXV. *Seçt.* 4. If several Tallies or Orders for Payment, bear Date, or be brought the same Day to the Auditor to be register'd, it shall be no undue Preference, which of them he enters first, so as he enters them all the same Day: Nor shall it be interpreted any undue Preference to incur any Penalty in Point of Payment, if the Auditor direct, and the Clerk of the Pells record, and the Teller pay subsequent Orders to Persons that come to demand their Monies, and bring their Orders, before others that did not come to take their Monies in Course; so as there be so much Money reserved, as will satisfy precedent Orders, which shall be kept for them, Interest upon Loan being to cease from the Time the Money is so reserved.

XXXVI. *Seçt.* 5. Persons to whom Monies shall be due for Loans by Virtue of this Act, after Orders enter'd in the Book of Registry, their Executors, &c. may, by proper Words of Assignment, to be endorsed on their Orders, assign or transfer their Right, Title, &c. of such Order, or any Part thereof, to any others, which being notify'd in the Auditor's Office, and an Entry thereof made in the Book of Registry (which the Officers shall make without Fee) shall entitle such Assignees, their Executors, &c. to the Benefit thereof, and Payment thereon; and such Assignees may in like Manner assign again; and so *toties quoties*; and afterwards it shall not be in the Power of the Persons who have made such Assignments, to make void or discharge the same.

XXXVII. *Seçt.* 6. *The like Clause for appointing Trustees for circulating these Bills, as in the Act 6 G. c. 4. which see above, Par. V.*

XXXVIII. *Seçt.* 7. The Treasury (so long as the Bills made forth by Virtue of this Act, shall have a joint Currency with the Bills made forth by the said other Act of this Session)

Session) shall furnish to the Trustees, out of the Monies in the Exchequer, of the Fund before in this Act settled for this Purpose, or out of Loans to be made thereon, on Behalf of the Publick, a proportional Part of such Ready Money, in the lawful Coin of this Realm, as shall be necessary to enable the Trustees to exchange the Bills so current, as often as they shall be demanded, or within 24 Hours after, by paying all the Principal and Interest due thereon: Which proportional Part shall be so much as, together with the proportional Part to be furnished by the South-Sea Company, by Virtue of the former Act (*which see above*, Par. V.) shall be sufficient to enable the Trustees to support the Currency of the said Bills from Time to Time: And the Trustees, upon exchanging any of the Bills, shall be answerable to the King, for the Use of the Publick, for such of the Bills as shall have been exchanged with coined Monies furnished out of the Fund by this Act settled, as aforesaid, or the said Loans thereon.

XXXIX. Sect. 8. *The like Clause as in the foregoing Act, to oblige the Trustees to account, &c. which see above*, Par. IX.

XL. Sect. 9. *Like Clause as above*, Par. IX. *to oblige the Trustees to exchange the Bills for Ready Money.*

XLI. Sect. 10. *Like Clause as above*, Par. X. *relating to the Demand of Interest.*

XLII. Sect. 11. No Person entrusted about circulating the Bills shall be disabled to be a Member of Parliament.

XLIII. Sect. 12. *Like Clause relating to the Payment of the Bills to Receivers, &c. as above*, Par. XIV.

XLIV. Sect. 13. *Like Clause as above*, Par. XV.

XLV. Sect. 14. *Like Clause as above*, Par. XVI.

XLVI. Sect. 15. *Like Clause as above*, Par. XVII.

XLVII. Sect. 16. *Like Clause as above*, Par. XVIII.

XLVIII. Sect. 17. *Like Clause as above*, Par. XIX.

XLIX. Sect. 18. *Like Clause as above*, Par. XX.

L. Sect. 19. *Like Clause as above*, Par. XXI.

LI. Sect. 20. *Like Clause as above*, Par. XXII.

LII. Sect. 21. *Like Clause as above*, Par. XXIII.

LIII. Sect. 22. *Like Clause as above*, Par. XXIV.

LIV. Sect. 23. *Like Clause as above*, Par. XXV.

LV. Sect. 24. *Like Clause as above*, Par. XXVI.

LVI. Sect. 25. *Like Clause as above*, Par. XXVII.

LVII. Sect. 26. If at any Time before 1 March 1721, or before the End of the then next Session of Parliament, coined Money shall be brought into the Exchequer, sufficient to pay off all the Exchequer-Bills made forth by this Act, in such Case, immediately upon the End of such Session next after the said 1 March 1721, all the Monies then remaining in the Exchequer, of the said Sum of 328,673*l.* 4*s.* 10*d.* 2*q.* if

if the same, or any Part thereof, shall then remain there not issued for the Purpose in this Act; and all the Monies which after the End of the said Session of Parliament, shall arise quarterly into the Exchequer, of the Sinking Fund, or of such Increase thereof as shall be made, by repaying the Monies which shall be lent to the said Company; and all the Monies of the Loans which shall have been made for answering the said Proportions for circulating the said Bills; or so much of the said Monies as shall be sufficient to discharge all the Exchequer-Bills which shall have been made forth by this Act, shall be applied towards discharging and cancelling the same, till they shall be all paid off and cancelled, or so much of the said Monies shall be reserved in the Exchequer as shall be sufficient for that Purpose; and the Treasury shall cause the same to be applied accordingly; and, as the said Monies shall come in, shall, by publick Notice in Writing to be affixed upon the *Royal Exchange*, and published in the *London Gazette*, prefix a Day or several Days, for the Bearers of the Bills standing out, to bring the same, or any Proportion thereof at a Time, to such Persons as the Treasury shall appoint to receive the same, to be exchanged for Ready Money; and such Bills as upon such Notice shall not be brought in, shall lose their Currency. And for the greater Accommodation and Ease of paying the said Bills to the Receivers and Collectors of the publick Revenues, or into the Exchequer, the Treasury have Power, at the Request of the Court of Directors of the South-Sea Company, to make forth any of the Bills to be issued by this Act, without bearing any Interest: Yet nevertheless those Bills may be made forth to carry Interest at 2 *d. per Cent. per Diem*, as the said Court of Directors, by Writing, declare in that Behalf.

LVIII. Sect. 27. If before 24 *June* 1727, any Exchequer-Bills shall be made forth, or current in the publick Revenues, or Exchequer, by Authority of Parliament, (except those made out in Pursuance of this Act, or of any other Act of this Session; and except such Bills as shall be circulated by Virtue of any future Acts, upon Credit of the Exchequer, or of the publick Money that shall be brought into the Exchequer, or of such Money as the Treasury shall be impowered to borrow to support the Currency of such Bills); then the South-Sea Company shall not be obliged to furnish Money, after such Currency, for exchanging any Exchequer-Bills, pursuant to this Act, or to bear or pay any Interest, or Proportion of Interest, which from thenceforth shall grow due thereon.

LIX. Sect. 28. No Fee, Reward, or Gratuity, shall be demanded or taken, by any Officers in the Exchequer, or by the said Trustees, or any of their Clerks or Substitutes, for any

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any Thing to be done by them in Pursuance of this Act: And no such Officer, &c. shall misapply any the Monies by this Act intended for circulating and exchanging the said Bills, or for Repayment of the said Loans and the Interest thereof, under such Penalties, Forfeitures, and Disabilities, as by 1 G. c. 1, are prescribed and enacted for misapplying the Monies thereby granted, or for taking or demanding any Fee, &c.

LX. *Señ. 29.* The Treasury may, out of the Sinking Fund, allow to the Trustees such Salaries and Allowances for the Charges, Pains, and Service of themselves, and those who shall be employed under them in that Trust, as the said Treasury shall think reasonable in that Behalf; and shall likewise allow, out of the same Monies, the necessary Charges of making forth such Bills by Virtue of this Act, and for Books, Clerkship, and other Matters necessarily incident for the Execution hereof, by or by Order of such Persons as shall by them be employ'd therein.

LXI. *Stat. 7 G. c. 20. Señ. 33.* In all Cases where it shall appear by *Affidavit* before any of the Barons of the Exchequer, (who shall interrogate the Deponent thereupon) to the Satisfaction of such Baron, that any Exchequer-Bills, Lottery Tickets, Annuity Orders, or other Orders, have been lost, burnt, or destroyed before 25 *March* 1721, or that there is good Reason to believe the same have been burnt, &c. the respective Officers appointed to make forth such Exchequer-Bills, &c. or to pay the same, or to issue Monies due thereon, upon producing a Certificate from any of the said Barons of such *Affidavit* made before him, (which *Affidavit* any of the said Barons may take, and which Certificate they shall grant without Fee,) and on Security given to the said Officers, to their good Liking, to indemnify them against all other Persons, for the Monies specify'd in such Bills, &c. they shall make forth Duplicates thereof at the Request of the Owners, and pay and discharge the same, as they should have paid the original Bills, &c. And in all Cases where the Signing of the Treasury is necessary for making the said Duplicates, it shall be lawful for any three or more of the Commissioners of the Treasury, to sign such Duplicates accordingly.

LXII. *Stat. 8 G. c. 2. Señ. 34.* Like Clause as that immediately preceding, relating to Exchequer-Bills, Lottery Tickets, Annuity-Orders, &c. lost, burnt, &c. before 29 Nov. 1721.

LXIII. *Stat. 8 G. c. 20.* The Preamble recites the Act 6 G. c. 4, whereby Exchequer-Bills made forth by Virtue of former

former A^{cts}, amounting to 896,662 *l.* 10 *s.* Principal, besides Interest, were called in, and new Bills to the like Value made forth, bearing Interest at 2 *d.* *per Cent. per Diem*, to be circulated by the South-Sea Company for seven Years, from *Midsummer* 1720; and whereby that Company was enjoined to furnish a proportional Part towards circulating, in Case a farther Sum in such Bills should be made forth by Parliament; with a Proviso for cancelling all the said Bills, when by Authority of Parliament, coined Money should be brought into the Exchequer for paying off the same; and that the said Company should repay so much Interest as should remain due at the Time when they were last brought into the Exchequer to be cancelled: Reciting also the A^{ct} of 6 *G.* c. 10. for making forth the farther Sum of one Million in Exchequer-Bills, and for lending the same to the Company at 5 *l.* *per Cent.* for any Time not being more remote than 1 *March* 1721, or the End of the then next Session of Parliament; and on Repayment the Treasury were to discharge the Bills for the one Million; and in Default to cause the Money lent to be stopped out of the Company's Annuity at the Exchequer; and the Monies of the Sinking Fund are made liable to furnish the Proportion to be supplied by the Publick toward circulating all the said Bills, with a Proviso for cancelling on Repayment, or else the Sinking Fund to be applied to discharge them. Reciting also the A^{ct} 7 *G.* c. 5, whereby farther Time was given to the Company for repaying the one Million with Interest at 4 *l.* *per Cent.* till 1 *June* 1722; and therein a Proviso was inserted for paying off and cancelling the same, when by Parliament Money should be raised for that Purpose; and that if such Money should not be brought in before 1 *March* 1721, or before the End of the Session of Parliament then next ensuing, then the Sinking Fund should be liable to pay off the Exchequer-Bills amounting to one Million. And after these Recitals it is enacted,

Se^{ct.} 1. That so much Money as at *Lady-Day* 1722, shall remain in the Exchequer of the Sinking Fund, or so much thereof as will not exceed the Sum sufficient to pay off the Exchequer-Bills amounting to one Million, which were lent to the South-Sea Company, shall be applied towards discharging and cancelling the same: And if at *Lady-Day* 1722, the Money hereby appointed, be not sufficient for that Purpose, then so much of the Sinking Fund afterwards to arise, as shall be sufficient to discharge the same, shall be applied to compleat the paying off and cancelling the same Exchequer-Bills.

LXIV. Se^{ct.} 2. So much of the said Money, as according to this A^{ct} ought to be applied to discharge such of the said Bills

Bills as shall be in the Office of any Teller as Cash, shall, by Order of the Treasury, be placed in the Exchequer instead of such Bills, upon the respective Accounts of the Tellers: And the Treasury shall, by publick Notice in Writing to be affixed upon the *Royal Exchange*, and published in the *Gazette*, prefix a certain Day, for bringing in the said Bills which were lent to the Company, (not being in the Exchequer) to be paid off, and cancelled accordingly; and all such of the said Bills as shall not be brought in on such Notice, shall lose their Currency, and no Interest shall grow due thereupon after *Lady-Day 1722*.

LXV. Sect. 3. *Like Clause as above, Par. LX. in Case any of these Bills should be lost, burnt, &c. before 5 Feb. 1721.*

LXVI. Sect. 4. The South-Sea Company, at their own Costs and Charges, shall pay, or furnish Money into the *Exchequer*, to discharge all the Interest-Monies, after the Rate of 4 *l. per Cent.* which at *Lady-Day 1722*, shall be due for the principal Sum of one Million which was lent them; and also so much Money, as in Pursuance of the said Acts of 6 G. and 7 G. they are obliged to pay for their proportional Part of Interest, or for any other Payments or Charges of circulating *Exchequer-Bills* during the joint Currency thereof; which proportional Part shall be deemed to be ten nineteenth Parts of the Whole; and the same shall be adjusted and paid at *Lady-Day 1722*, for so much as shall be then due thereon; and afterwards during their joint Currency.

LXVII. Sect. 5. After paying off all the said *Exchequer-Bills* which were created to be lent to the Company, and discharging the same out of the Sinking Fund, or reserving sufficient thereof to clear so much as shall remain unsatisfied at the Time prefix'd by such Notice as aforesaid, and after the Million of *Exchequer-Bills* intended to be created by this Act, shall be created, and a Contract made for circulating the same, and the remaining *Exchequer-Bills* that shall be then current; the said Company shall, by any Instrument in Writing to be signed by the Treasury, and register'd in the Office of the Auditor of the Receipt of *Exchequer*, be for ever acquitted of the Obligation of circulating or contributing towards circulating, of any *Exchequer-Bills*, pursuant to the said Acts of 6 G. and 7 G.

LXVIII. Sect. 6. And as to the principal Sum of one Million which was borrowed by the said Company, for Repayment whereof they were allowed Time till 7 *June 1722*, they shall be allowed further Time till 7 *June 1723*, they paying an Interest for the same at 5 *l. per Cent.* by Quarterly Payments, from *Lady-Day 1722*, till paying off the Principal.

LXIX. Sect. 7. If the one Million be not repaid by 7 June 1722, then the Company shall well and truly pay the said Sum by 7 June 1723, into the Exchequer, for the Purposes in this Act.

LXX. Sect. 8. The Company shall pay into the Exchequer so much as the Interest of the said Million shall amount to, from Lady-Day 1722, after the Rate of 5 l. per Cent. till Repayment of the Principal: The said Interest to be paid quarterly, at the four most usual Feasts, by equal Portions, for the Purposes in this Act: And in Default of Repayment of the Principal or the Interest, according to this Act, the Company's Annuities payable at the Exchequer, shall be stopped by the Treasury, or by any Officers of the Exchequer, and applied as is after in this Act directed.

LXXI. Sect. 9. The Treasury, within one Year to be reckoned from Lady-Day 1722, may, by such Proportions at a Time as they shall find to be most for the Advantage of the Publick, prepare in such Method as they shall think most convenient, any Number of new Exchequer-Bills, so as all the Principal therein contained, do not exceed one Million of Pounds, (over and above the Bills made forth by former Acts, remaining undischarged) and the new Bills shall bear an Interest not exceeding 2 d. per Cent. per Diem, and to be payable to the Bearers thereof: But the Interest shall be saved on such of the said Bills as shall at any Time be in the Receipt of the Exchequer, or in the Hands of any Receivers or Collectors of any Taxes, &c. whatsoever, payable to the Crown, during such Time as such Bills shall remain in the said Receipt, or in such Hands; and the Treasury is to cause these new Bills to be placed as so much Cash in the Offices of the Tellers, each of whom shall be severally charged with the Proportions of the said Bills so placed in his Office.

LXXII. Sect. 10. The Monies arising by the Sinking Fund shall be a Fund or Security (over and above the Interest Monies of 5 l. per Cent. to be answered by the South-Sea Company) for furnishing such Monies as shall be necessary for exchanging and circulating the same.

N. B. The following Clauses in this Act to Sect. 23. are the usual Clauses in all Acts for making forth Exchequer-Bills, and may be seen above, Par. XIV. &c. to which to avoid Repetition, the Reader is referred.

LXXIII. Sect. 23. The principal Sum of one Million owing by the South-Sea Company, shall be a Fund and Security for paying off and cancelling the principal Sums not exceeding one Million, which shall be contained in the Bills to be made forth by this Act; and so much as shall then be due for Interest on the said Bills, shall be made good out of the

the Sinking Fund: And the Treasury, as soon as may be after the Repayment of the one Million by the Company, shall, out of that Money, and out of the Monies of the Sinking Fund, cause all the Bills to be made forth by this Act, and the Interest due thereon, to be paid off and cancelled accordingly; and for that Purpose shall, by publick Notice in Writing to be affixed on the *Royal Exchange*, and published in the *Gazette*, prefix a certain Day, by which all the Bills then standing out, shall be delivered to such Persons as they shall appoint to receive the same at or near the Exchequer, to be paid off and cancelled: And if any of the Bills shall then be in the Tellers Offices, the Treasury shall cause so much of the Money so repaid, to be placed in the Exchequer instead of such Bills, on the Account of such Teller respectively: And all such of the said Bills as shall not be brought in upon such Notice, to be paid off and cancelled, shall lose their Currency, and no Interest shall grow due thereupon after the Time prefixed by such Notice.

LXXIV. *Señt. 24. The usual Clause in Regard to Bills lost, &c. which see above, Par. LXI.*

LXXV. *Señt. 25.* That a sufficient Provision may be made for circulating and exchanging for Ready Money the Bills to be made forth by this Act, and also so many of the Bills made forth by Virtue of the two Acts of the 6th and 7th of his Majesty's Reign, as shall remain after cancelling one Million thereof; which remaining Bills will, by Estimation, amount in principal Money to 919,912 l. 10 s. The Treasury may enter into Contracts for obliging Persons who will voluntarily undertake this Service, to circulate, at some publick Office in *London* or *Westminster*, for Ready Money, all such of the said Bills for several Sums not exceeding 1,919,912 l. 10 s. as shall be demanded at the said Office during the Contract, by paying in Ready Money, upon every such Demand, or within 24 Hours after, all the principal Monies contained in every such Bill, and the Interest due thereon; the Undertakers taking in the Bill so exchanged for their own Use, and being allowed a Rate not exceeding 3 l. *per Cent. per Annum*, as well for paying the Interest at their own Costs, as in Reward for their Service, upon all the Bills so undertaken to be circulated, so long as they shall exceed one Million in Principal; and a Rate not exceeding 20 s. *per Cent. per Annum* for the like, upon all the Bills, from the Time they in the whole shall be reduced to any Sum not exceeding one Million in Principal: And the Contracts shall be in Writing, and register'd in the Auditor of the Receipt's Office, and made to endure for such Time as shall be agreed by the Contractors.

LXXVI. *Seff.* 26. Such Contractors shall not, for that Cause only, be disabled from being Members of Parliament, or be adjudged liable to be Bankrupts.

LXXVII. *Seff.* 27. The Interest of 5 *l.* per Cent. payable by the South-Sea Company for the Million lent them, shall be a Fund or Security, so long as such Interest shall be payable, for answering the Allowance of 3 *l.* per Cent. per Annum, to the Undertakers; and the Monies hereafter to come in of the Sinking Fund, shall be a Fund or Security for answering so much as (together with the said Interest payable by the said Company) shall make up the said Allowance of 3 *l.* per Cent. and for answering the said Allowance, not exceeding the Rate of 20 *s.* per Cent. from the Time it is to commence, during the Continuance thereof; and the Treasury shall cause those respective Rates to be paid out of the same Funds accordingly.

LXXVIII. *Seff.* 28. If at any Time hereafter Provision shall be made by Parliament, in the lawful Coins of this Realm, for paying off the said Exchequer-Bills made forth by the Act of the 6th of his Majesty's Reign, computed to amount to 919,912 *l.* 10 *s.* then the Bills for the same shall be discharged and cancelled: And if before 7 *June* 1723, coined Money shall not be raised and brought into the Exchequer, for discharging the last mentioned Bills; then all the Monies which shall then remain, or afterwards come into the Exchequer, of the Sinking Fund, shall be applied towards paying off and cancelling the same, till they shall all be compleatly paid off and cancelled, in like Manner as hereby is prescribed for cancelling and discharging the Bills to be made forth by this Act.

LXXIX. *Seff.* 29. All the Monies of the Sinking Fund, (except so much as at *Lady-Day* 1722, or afterwards, is to be applied to discharge the said Exchequer-Bills of one Million, which were originally created to be lent to the said Company; and except so much of the Sinking Fund as will pay off the said Bills of 919,912 *l.* 10 *s.* and except the Monies as by this or any other Acts of Parliament as specially charged on the said Fund) shall be appropriated for discharging the Principal and Interest of such national Debts and Incumbrances, as were incurred before 25 *Dec.* 1716, and are declared to be such national Debts as may be redeemed, and are provided for by Parliament, in such Manner as shall be directed by any future Acts.

LXXX. *Seff.* 30. *The like Clause relating to the Officers of the Exchequer taking any Fee, &c. as above, Par. LIX.*

LXXXI. *Seff.* 31. The Treasury shall have Power to pay out of the Sinking Fund, the necessary Charges of cancelling such Exchequer-Bills as are hereby directed to be cancelled,

celled, and of making forth the new Bills, and such other Charges as shall be necessarily incident in the Execution of this Act.

LXXXII. *Señ. 32.* And whereas the Civil List Revenues did produce in clear Money for one Year, ended at *Michaelmas* 1720, the Sum of 102,682 *l.* 7 *s.* 11 *d.* 3 *q.* above the Sum of 700,000 *l.* allowed for those Services in that Year; and by 7 G. c. 27, for raising a Sum not exceeding 500,000 *l.* Annuities at the Rate of 5 *l.* per Cent. were charged on the Civil List Revenues, till redeemed by the Crown: And whereas the said Sum of 102,682 *l.* 7 *s.* 11 *d.* 3 *q.* was Part of the 500,000 *l.* intended to be raised by that Act; and after the raising thereof, the said 102,682 *l.* 7 *s.* 11 *d.* 3 *q.* ought (as Part of the Surplus of the Aggregate Fund arisen within the said Year 1720) to be applied to make good so much of the Sinking Fund, out of which the Exchequer-Bills formerly lent to the South-Sea Company are by this Act appointed to be paid off and cancelled. Now for the more effectual raising the said Sum of 102,682 *l.* 7 *s.* 11 *d.* 3 *q.* and applying the same as aforesaid, It is enacted, That the Treasury may cause Tallies of *Pro*, or other Tallies, to be levied and stricken in the Names of such Persons as they shall think fit to entrust in this Behalf, as Part of the said Sum not exceeding 500,000 *l.* and that upon producing or tendring of such Tallies to the Chief Cashier of the Bank, Receipts in Writing shall be given by him to the Persons so to be entrusted, or to their Assigns, producing or tendring the same; and the said Persons, or their Assigns, shall, in Respect thereof, be deemed Contributors within the Meaning of the said Act of 7 G. and their Names, and the Sums contained in such Tallies, shall be fairly enter'd in the Books of the Controller mentioned in the said Act, and into the Duplicates thereof, to be transmitted into the Office of the Auditor of the Receipt of the *Exchequer*: And that such Persons so to be entrusted, or the Persons who, as their Assignees, shall deliver up or tender such Tallies, shall be entitled to have and receive the respective Annuities to be payable in Respect of the said Sum of 102,682 *l.* 7 *s.* 11 *d.* 3 *q.* out of the yearly Fund by the last mentioned Act established; and shall have such and the like Estate and Interest therein, from *Midsummer* 1721, and all other Benefits in Respect thereof, as if such Contributions had been specifically made in Ready Money.

LXXXIII. *Señ. 33.* The Treasury may cause any Sums to be raised on such Tallies of *Pro*, or other Tallies, or upon such Annuities to be payable in respect thereof, by Mortgage, Sale, or otherwise, and for such Prices, or at such Rates of Interest, as to them shall seem most expedient; and

thereupon may cause any Assignments of the said Tallies and Annuities to be made to the Persons who shall purchase or lend Money on the same, as they shall judge reasonable. All which Annuities in respect of the said Sum of 102,682 *l.* 7 *s.* 11 *d.* 3 *q.* shall nevertheless be subject to such Redemption as is by the recited Act provided, touching the other Annuities purchased thereupon.

LXXXIV. *Seç.* 34. All the Monies that shall be raised towards the said Sum of 102,682 *l.* 7 *s.* 11 *d.* 3 *q.* shall be applied towards making good the Sinking Fund, out of which the Exchequer-Bills that were lent to the South-Sea Company, are directed to be paid off and cancelled.

LXXXV. *Stat.* 9 G. c. 2. *Seç.* 131. If there be no Loans made on the Credit of this Act, *For granting an Aid to his Majesty by a Land-Tax, &c. for the Service of the Year 1723,* by 1 March 1722, or if those Loans shall not amount to one Million, then the Treasury may, before 24 March 1723, at once, or by Proportions at a Time, prepare and make new Exchequer-Bills for not exceeding one Million, together with the Loans that shall be made upon this Act.

LXXXVI. *Seç.* 132. These Bills shall bear an Interest not exceeding 2 *d.* per Cent. per Diem, and so proportionably; and be payable to the Bearer: Nevertheless such Interest shall be saved on such of the Bills as shall be in the Receipt of the *Exchequer*, or in the Hands of any Receivers or Collectors of Taxes, during the Time they shall remain in such Receipt or in such Hands.

LXXXVII. *Seç.* 133. All the Bills shall be number'd arithmetically, beginning with Number I. and shall be registered accordingly; so that the principal Sum to be contained in each Bill, (after Repayment of the Loans and Interest thereof, or reserving Money sufficient for that Purpose) may be regularly paid off in Course; and the Interest shall be payable every three Months: And on each Bill shall be endorsed in Words at Length the Sum, after which the Principal to be contained therein shall be payable in Course as aforesaid; and all the Bills shall be made with such Cheques, Indents, or Counterfoils, as shall be directed by the Treasury; and the Persons appointed to pay off these Bills shall have the Use of one Part of the Cheques, &c. to prevent their being imposed upon by forged Bills: Which Cheques, &c. shall be deliver'd back into the *Exchequer*, when the Bills shall be paid off and cancelled.

LXXXVIII. *Seç.* 134. The Treasury shall cause those Bills to be placed as so much Cash in the Offices of the Tellers; every of whom shall be severally charged with the Proportion of the Bills so placed in his Office.

N. B. *The 11 following Sections of this Act are exactly the same (mutatis mutandis) as above, from Par. XIV. to Par. XXV. to which we refer the Reader.*

LXXXIX. Sect. 146. The Monies which shall arise of the Taxes granted by this Act, shall be applied in the first Place for paying off the Orders of Loan for the Money lent within the Time before limited, and the Interest thereof, in Course, till all the Principal and Interest be fully satisfy'd: And afterwards, all the Monies which shall arise for the said Taxes, shall be issued to such Paymaster as is herein after mentioned, by Way of Imprest, and on Account, for paying off these Exchequer-Bills in such Course as aforesaid, and for the Charge of exchanging and circulating the same, and for such other Payments as by this Act are directed.

XC. Sect. 147. On 29 Sept. 1724, or within ten Days after, the Treasury shall cause a true Account in Writing to be taken and attested by the proper Officers, of all the Monies raised by Loans and by Exchequer-Bills, towards the said Sum of one Million, and how much thereof shall, before that Time, be paid off, and how much shall then remain undischarged on the said Orders of Loan and Exchequer-Bills respectively; which Account shall be affixed in the Auditor of the Receipt's Office.

XCI. Sect. 148. The Monies remaining undischarged, with the Interest thereon, shall be satisfied out of the next Aids to be granted in Parliament, after 29 Sept. 1724, and shall be transferred thereto; and if no such Aids shall be granted before 24 March 1724, the Monies so remaining unsatisfied on the said Exchequer-Bills, shall be charged on the Sinking Fund, (except such Monies of the same Sinking Fund as are appropriated to any particular Use by Act of Parliament) and such Monies shall be issued to the Paymaster for discharging such unsatisfied Exchequer-Bills in Course, as the Treasury shall direct, till the said Bills shall be fully cleared off, or Money sufficient reserved for that Purpose: And if before or after any Money of the Taxes hereby granted shall be brought into the *Exchequer*, there shall happen to be a Want of Money for paying Interest actually grown due on the said Bills, or for Payment of any Premium which shall be incurred by any Contract to be made by Virtue hereof, for circulating and exchanging the same Bills; then the Money so wanting, shall be supplied out of the Sinking Fund, (except before excepted) and be issued accordingly: And when all the Principal, Interest, and Premium, due on the said Orders of Loan, and Exchequer-Bills, shall be fully paid off, if any Arrears of the Taxes hereby granted, shall remain, the same shall be deemed to be added to the Sinking Fund, and be applied to the same Uses, under the like

Exchequer-Bills.

Penalties, whereto the Monies of the said Fund shall be applicable, pursuant to former Acts.

XCII. *Seç.* 149. The Treasury shall appoint one or more Persons to be Paymaster for paying off the principal Sums, which shall from Time to Time be in Course of Payment on the said Exchequer-Bills, till they shall be all paid off and discharged; and to pay the Premiums to the Contractors for circulating the said Bills; and to take in and put upon a File all such Bills as shall be paid off, to be cancelled, as the Treasury shall direct, and to do such other Matters in Relation to the said Bills, or to the Principal and Interest therein contained, as to the Treasury shall seem meet: Which Payments shall be made by the Paymaster at an Office to be kept in or near the *Exchequer* for that Purpose: And the Treasury shall take Security of the Person or Persons so to be constituted, for their due paying and accounting for all the Monies they shall receive, and for the faithful Performance of their Trusts.

XCIII. *Seç.* 150. The Treasury shall, once in every Week or oftner, without any farther Warrant, cause to be issued to the Paymaster, the Monies coming in upon this Act; and the said Paymaster shall apply the same towards discharging the Bills in Course, and other Payments hereby directed.

XCIV. *Seç.* 151. All the Bills shall be register'd in Course, according to their Numbers; and the Registers shall lie open in the publick Office of the Paymaster; and a Table to shew how far the said Bills shall be in Course of Payment, shall be publickly affixed in that Office, and such Register and Table may be inspected without Fee; and the Bills shall be paid off in Course, according as their Numbers stand in the Register; and the Monies by this Act appointed for Payment thereof, shall in the same Order be liable thereto, without any undue Preference, and shall not be divertible to any other Uses than those by this Act appointed for the Application of the same: But it shall not be any undue Preference, if several Bills in Course of Payment be brought on the same Day to be paid off, which of them the Paymaster pays first, so as he pay them all the same Day; and it shall not be interpreted an undue Preference to incur any Penalty in Point of Payment, if the Paymaster pay Bills to Persons that bring them, and demand their Money in Course, before others that did not bring their Bills, and demand theirs so as so much Money be reserved as will satisfy precedent Bills: But the Interest on such Bills shall cease from the Time that Money shall be reserv'd for discharging the same.

XCV. *Seç.* 152. The Paymaster shall be subject to such Examination, Inspection, Controul, and Audit, and to such Rules

Rules in respect to paying, accounting, &c. as the Treasury shall think reasonable to establish, for the better Execution of the Ends of this Act, and the Satisfaction of the Proprietors of the Bills.

XCVI. *Seft.* 153. The Paymaster and the Persons appointed to examine and controul his Receipts, Payments, and Doings, shall have for their Services, their Clerks, and incident Charges, such Salaries and Allowances as the Treasury shall judge reasonable and direct: To be allowed on the Paymaster's Accounts.

XCVII. *Seft.* 154. The Treasury may enter into Contracts on his Majesty's Behalf, for obliging Persons who will voluntarily undertake this Service, at their own Costs and Charges, to circulate and exchange, at some publick Office in *London* or *Westminster*, for Ready Money, all such of the Bills made forth by Virtue of this Act, as shall be demanded at such Office during their Contract, by paying in Ready Money, upon every Demand, or within 24 Hours after, all the Principal and Interest contained in such Bills, the Contractors taking in the Bills so exchanged for their own Use, and being allowed not exceeding 3 *l. per Cent. per Annum*, as well for paying the Interest at their own Costs, as in Reward for their Service, upon all the Bills so undertaken to be circulated. The Contracts shall be made in Writing, to be enter'd in the Auditor's Office, and to endure for such Time as shall be agreed by the Contractors.

XCVIII. *Seft.* 155. The Contractors shall not, for that Cause only, be disabled from being Members of Parliament, or be adjudged liable to be Bankrupts.

XCIX. *Seft.* 156. The Treasury shall cause the Money which shall grow due to the Contractors, to be paid out of the Monies which shall be issued to the Paymaster.

C. *Seft.* 157. No Fee or Gratuity shall be demanded or taken by the Officers in the *Exchequer*, or by the Paymaster or the Controller, or any of their Clerks or Substitutes, for any Thing done by them in Pursuance of this Act: And no such Officer in the *Exchequer*, &c. shall divert or misapply any of the Monies for circulating, exchanging, or paying off the said Bills, under the Penalties hereby prescribed for diverting any Taxes by this Act granted, or for taking any Fee, &c. concerning the same.

CI. *Seft.* 158. As often as Interest shall be demanded, the Contractors or Paymaster shall not be obliged to pay to any lesser Sum than one Penny.

CII. *Seft.* 159. The Treasury shall allow out of the Taxes hereby granted, or out of the Sinking Fund, the necessary Charges of making forth these new *Exchequer-Bills*,

and other incident Charges in the Execution of this Act, in Relation to the said Bills.

CIII. Sect. 160. *Like Clause as above, Par. IV. in regard to Bills lost, &c.*

CIV. Sect. 161. All the Bills paid off shall be filed and cancelled, according to such Rules as the Treasury shall, by Warrant under their Hands, direct.

Excise.

I. Stat. 6 G. c. 2. An Act for continuing the Duties on Malt, Mum, Cyder, and Perry, for the Service of the Year 1720, &c.

By this Act the Duties on Malt, &c. granted by 12 A. Sess. 1. c. 2, for the Service of the Year 1713, and by subsequent Acts continued till 24 June 1720, are further continued till 24 June 1721.

II. Stat. 6 G. c. 21. Sect. 23. All Informations, Complaints, and other Proceedings, as well before the Commissioners of Excise as Justices of the Peace, in Pursuance of this or any other Act relating to the Duties of Excise, or any other Duties under the Management of the Commissioners of Excise, are, and were intended to be, and shall and may be entered and enrolled in the *English* Tongue.

III. Stat. 7 G. c. 20. Sect. 1. The Duties on Malt, Mum, Cyder, and Perry, granted by 12 A. Sess. 1. c. 2, till 24 June 1714, and continued by several subsequent Acts of Parliament till 24 June 1721, shall be farther continued for all Malt which shall be made, and all Mum which shall be made and imported, and all Cyder and Perry which shall be made for Sale in Great Britain from 23 June 1721, and before 24 June 1722; and shall be raised, &c. by the same Ways, Methods, Rules, &c. and with such Allowances and Repayments, and under such Penalties and Forfeitures, and with such Power of Mitigation, &c. as are prescribed in the former Acts, or in any other Acts thereby referred unto; and the same Acts shall be of full Force and Effect for raising the Duties hereby granted, as fully as if the same were particularly and at large repeated in the Body of this present Act.

IV. Sect. 2. In all Cases where the first mentioned Act of 12 A. did relate to any Day or Time within the Year 1713, this present Act shall relate to the like Day or Time within the Year, commencing from 23 June 1721. See the Sequel of this Act in Tit. Lottery.

V. Stat.

V. Stat. 8 G. c. 2. An Act for continuing the Duties on Malt, Mum, Cyder, and Perry, to raise Money by Way of a Lottery, for the Service of the Year 1722, &c.

By this Act the Duties on Malt, &c. granted by 12 A. Sess. 1. c. 2, and continued by subsequent Acts, are farther continued from 23 June 1722, to 24 June 1723. *Vide Supra* Par. III. and Tit. Lottery.

VI. Stat. 9 G. c. 3. An Act for continuing the Duties on Malt, Mum, Cyder, and Perry, to raise Money by Way of a Lottery, for the Service of the Year 1723. *By this Act the Duties are farther continued from 23 June 1723, to 24 June 1724.*

VII. Stat. 10 G. c. 2. An Act for continuing the Duties on Malt, Mum, Cyder, and Perry, to raise Money by Way of a Lottery, for the Service of the Year 1724. *By this Act the Duties are farther continued from 24 June 1724, to 24 June 1725.*

Felons.

I. Stat. 6 G. c. 23. Sect. 1. All the Powers and Authorities given by 4 G. c. 11, to any Court before whom any Felons and Offenders, tried and convicted of Offences for which they may be transported to the Plantations in *America*, shall be observed and executed by any subsequent Court held with like Authority, for the same County, Riding, Division, or Liberty, where such Offenders were or shall be tried and convicted, notwithstanding such other subsequent Court shall happen to be held at any other Town or Place than that wherein such Trials or Convictions were or shall be.

II. Sect. 2. The Court before whom such Felons were or shall be convicted, or any other Court held with the like Authority for the same County, &c. may appoint two or more Justices of the Peace of and for the said County, &c. who shall have Power to contract with any Persons for the Performance of the Transportation of such Felons; and to order such and the like Security (as the said Act directs to be taken by Order of Court) and also to cause such Felons, pursuant to such Contracts, to be delivered by the Gaolers in whose Custody they are, to the Persons contracting for them, or to their Assigns. Which Contracts and Security shall be certified by the Justices who shall make and take

the same, to the next Court held with the like Authority for the said County, &c. to be filed and kept on Record.

2 Hawk. pl. f. 366. III. Sect. 3. All Charges about Contracts, taking Securities, and Conveying of Felons, in Order to be transported, shall be born by each County, &c. for which the Court was held that ordered such Felons to be transported; and the respective Treasurers shall, by Order of the Justices in Quarter-Sessions, pay all such Charges to the Persons employed for the Purposes aforesaid.

IV. Sect. 4. All Securities for Transportation shall be by Bond, in the Name of the respective Clerks of the Peace of the County, &c. which Clerks and their Successors shall prosecute such Bonds in their own Names, to which Purpose they shall be deemed to be a Body Corporate; and shall be paid all such Costs and Charges as they shall sustain in any such Suit, as the Justices at their Quarter-Sessions shall direct, for the Penalty of such Bond, or otherwise by reason thereof, out of the publick Stock, and by the respective Treasurers: And all Monies recovered on such Bond, shall be for the Use of the respective County, &c. and paid to such respective Treasurer, to be Part of the publick Stock of such County, &c.

2 Hawk. pl. f. 366. V. Sect. 5. The Persons so contracting, to whom any Felons shall be delivered in Order to be so transported, or any Persons directed by the Justices impowered to contract as aforesaid, or their Assigns, may, in such Manner as they shall think fit, carry and secure the said Felons through any County of *Great Britain*, towards the Sea-Port from whence they are to be transported: And if any Person shall rescue such Felons, or aid or assist them in making their Escape from such Persons as shall have them in Custody, he shall be deemed guilty of Felony, and suffer Death without Benefit of Clergy.

2 Hawk. pl. f. 366. VI. Sect. 6. If any Felons who have been, or shall be ordered for Transportation, shall be afterwards at large within any Part of *Great Britain*, without some lawful Cause, before the Expiration of the Term for which such Felon was or shall be ordered to be transported; every such Person, being thereof convicted, shall suffer Death as in Cases of Felony, without Benefit of Clergy.

2 Hawk. pl. f. 366. VII. Sect. 7. Such Offenders may be tried either before Justices of Assize, Oyer and Terminer, or Gaol-Delivery for the County, &c. where they shall be apprehended, or from whence they were order'd to be transported; and the Clerk of the Assize, and Clerk of the Peace where such Orders of Transportation shall be made, and their Successors, shall, at the Request of the Prosecutor, or any other in his Majesty's Behalf, certify a Transcript in few Words, containing the Effect

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Effect and Tenor of every Indictment and Conviction of such Man or Woman, and of the Order and Contract for Transportation, to the Justices of Assize, &c. where such Man or Woman shall be convicted (not taking for the same above 2 s. 6d.) which Certificate, produced in Court, shall be sufficient Proof that such Persons have before been convicted and ordered to be transported.

VIII. *Seç. 9.* Whoever shall discover, apprehend and prosecute to Conviction of Felony without Benefit of Clergy, any Person for taking Money or other Reward, directly or indirectly, to help Persons to their stolen Goods, (such Persons not having apprehended the Felon who stole the same, and brought him to Trial, and given Evidence against him) shall be entitled to a Reward of 40*l.* for every Offender so convicted, and shall have the like Certificate, and like Payment without Fee, as Persons may be entitled to for apprehending, &c. of Highwaymen.

IX. *Seç. 10.* The Reward of 40*l.* for apprehending and convicting any Person for Burglary, shall be paid without any Deduction.

X. *Seç. 11.* If any Person shall, after 24 *June* 1720, wilfully and maliciously assault any Person in the publick Streets or Highways, with Intent to tear, spoil, cut, burn, or deface, or shall tear, spoil, &c. the Garments or Cloaths of such Persons, the Offender being thereof convicted, shall be adjudged to be guilty of Felony; and every such Felon shall be subject to like Pains and Penalties as in Cases of Felony; and the Court before whom he shall be tried, shall have Power of transporting such Felons for seven Years, on the Terms and Conditions directed by this and the before recited Act.

Fish and Fishery.

I. *Stat. 8 G. c. 4, Seç. 1.* At the Beginning of every Fishing Season for Herrings, the Proprietors of Salt delivered duty-free for the Curing of Herrings for Exportation, pursuant to 5 G. c. 18, or their Agents, shall, instead of the Oath required by that Act, make Oath in Writing before the Officer for the Duty on Salt, at the Office nearest to the Place where the said Salt is lodged, (who is impowered to administer the same) declaring the Quantity of Foreign or *British* Salt lodged for curing of Fish, and that all the said Salt is intended for the Curing of Fish for Exportation only, and shall not, by their Order, Consent, or Connivance, directly or indirectly, be sold, given away, or any Way deliver'd, but for the Purpose aforesaid: Except so much there-
of

of as shall be used for curing such Red-Herrings, as shall be entered with the Officer of the Place for Home-Consumption, and charged with the Duties by this Act chargeable thereon.

II. *Seçt.* 2. Every Maker or Curer of Red-Herrings, after 25 March 1722, before he remove any Red-Herrings (except for Exportation) from the Place where cured, shall make Entry thereof at the next Salt-Office, and pay a Duty of 1*s.* 8*d.* for every Thousand so to be removed, and proportionably for a greater or lesser Quantity: And in Case such Red-Herrings shall be pack'd up in Casks, the Number of Herrings in each Cask shall be marked on the Head thereof; and upon Entry, Payment of the Duty, and marking each Cask, a Permit shall be given *gratis* by the Salt-Officer, expressing the Number of Red-Herrings for which the Duties shall be paid, and the Marks and Numbers of such Casks, and for what Place the same are intended, and whether to be sent by Land or Water-Carriage, on Forfeiture of the Red-Herrings removed before Entry, and the Duty paid, and without the Casks being marked, and Permit obtained as aforesaid, and of the Cask or Vessel in which such Herrings shall be found, and also of 40*s.* for every Thousand, and so proportionably, to be recovered from the Persons who shall remove the same; one Moiety to the King, the other to the Officer who shall seize, sue, or inform for the same; to be sued for in such Manner, and with such Power of Mitigation, as any Fine, &c. may be recover'd, &c. by any Law of Excise; or by Action of Debt, &c. in any Court at *Westminster*. And all Officers of the Customs, Excise, or Duties upon Salt, are empower'd to seize such Red-Herrings so removed, &c. and the Casks or Vessels in which they shall be found.

III. *Seçt.* 3. The Proprietor of Salt deliver'd Duty-free for curing of Red-Herrings for Exportation, or his Agent, shall, (in the Account which after the End of every Fishing Season they are to deliver in Writing into the Salt-Office, containing the Quantity of Fish exported, or enter'd and shipt to be exported, on which the Salt, taken away after its Delivery into the sole Custody of the Proprietor or his Agent, has been used or consumed, as by the former Law is directed, and under the Penalties therein prescribed) express also the Quantity of Red-Herrings enter'd for Home-Consumption, on which such Salt has been used.

IV. *Seçt.* 4. Whereas it may happen that Fish enter'd for Exportation may never be exported for Want of an Opportunity to ship them while they are good and merchantable, so that the Proprietors of the Salt cannot have such Certificate by the proper Officers of the several Ports, as by the
Act

Act 5 G. is required: Therefore enacted, That in such Case the Owner of the Fish may cause them to be destroy'd in Presence of an Officer of the Salt-Duties; and his Certificate that the Fish were destroy'd in his Presence, shall be admitted to verify the Account of the Proprietor of the Salt used in curing them, instead of the Officer's Certificate that they were shipped for Exportation, required by the said **Act**.

V. Sect. 5. In Case the Duties of Excise on Salt, (which now amount to 3s. 4d. per Bushel on Home-made Salt, and 6s. 8d. per Bushel on Foreign) or any of them, shall cease or be redeemed by Parliament, then the Duty of 1s. 8d. per Thousand hereby imposed on Red-Herrings, shall cease or be lessened, in Proportion to the Duties on Salt that shall so cease or be redeemed.

VI. Stat. 8 G. c. 16. Sect. 1. At the Beginning of every Fishing Season for Herrings, the Proprietors of the Salt deliver'd Duty-free for curing of Herrings for Exportation, pursuant to 5 G. c. 18, shall, instead of the Oath thereby required, make Oath before the Salt-Officer at the next Office, declaring the Quantity of the Foreign or *British* Salt lodged for curing of Fish, and that all the Salt is intended for curing of Fish for Exportation only, and shall not be sold, given away, or any way delivered but for that Purpose; except so much thereof as shall be used for curing such White-Herrings, as shall be enter'd with the Officer of the Place for Home-Consumption, and charged with the Duties by this **Act** chargeable thereon.

VII. Sect. 2. Every Curer of White-Herrings in *England, Wales* and *Berwick*, shall, after 25 *March* 1722, before he remove any White-Herrings (except for Exportation) from the Officer or Place where cured, make Entry thereof at the next Salt-Office, and pay a Duty of 3s. 4d. for every Barrel, containing 32 Gallons, and so proportionably: And every Cask in which such White-Herrings shall be put up, shall have a Mark on the Head, shewing the Contents thereof: And upon Entry and Payment of the Duty, (each Cask being marked as aforesaid) a Permit shall be given gratis by the Salt Officer, expressing the Quantity of White-Herrings for which the Duties shall be paid, and the Marks and Numbers of the Casks, and for what Place intended, and whether to be sent by Land or Water-Carriage; on Forfeiture of the White-Herrings and of the Casks, and also 40s. for every Cask, to be recover'd of the Person who shall remove the same; one Moiety to the King, the other to the Officer who shall seize or inform for the same: To be sued for, recover'd, &c. as any Forfeiture may be by any Law of Excise, or by Action of Debt, &c. And all Officers of the Customs,

stoms, Excise, or Duties upon Salt, are hereby authorized to seize all White-Herrings, so removed before Entry &c. and the Casks wherein they shall be found.

VIII. *Seff.* 3. The Proprietors of Salt deliver'd Duty-free for curing White-Herrings for Exportation, in *England, Wales* and *Berwick*, shall, in the Account which after the End of every Fishing Season they are to deliver in Writing into the Salt-Office, containing the Quantity of the Fish exported, &c. on which the Salt taken away after its Delivery into their Custody, has been used, as by the former Law is directed, (and under the Penalties therein) express also the Quantity of White-Herrings enter'd for Home-Consumption, on which such Salt has been used.

IX. *Seff.* 4. In Case the Duties of Excise on Salt, (which now amount to 3 s. 4 d. per Bushel on Home-made Salt, and 6 s. 8 d. per Bushel on Foreign Salt) shall cease or be redeemed, then the Rate by this Act imposed on White-Herrings, shall cease or be lessen'd in Proportion to the Duties that shall so cease or be redeemed.

X. *Stat.* 10 G. c. 10. *Seff.* 1. For encouraging the *Greenland* Fishery, it is enacted, That after 25 Dec. 1724, it shall be lawful for any of his Majesty's *British* Subjects, to import Whale-Fins, Oyl and Blubber of Whales, taken and caught in the *Greenland* Seas, in *British* Ships navigated according to Law, without paying any Custom, Subsidy, or other Duties for the same. Provided, That nothing herein contained shall be construed to extend to give Liberty of importing Whale-Fins, Oyl, or Blubber, Duty-free, unless the Master of the Ship importing the same, shall first make Oath before one of the Commissioners, or other Principal Officer of the Customs in the Port of Importation, (who are hereby required to administer such Oath) That all the Whale-Fins, Oyl and Blubber, imported in such Ship, were *bona fide* the Fins, Oyl, or Blubber of Whales, caught and taken in the *Greenland* Seas, by the Crew of such Ship only, whereof the Master and one third Part at least of the Mariners were *British* Subjects.

Game.

I. *Stat.* 8 G. c. 19. *Seff.* 1. Wheresoever any Person shall, for any Offence hereafter to be committed against any Law now in Being for the better Preservation of the Game, be liable to pay any Pecuniary Penalty, upon Conviction before any Justice or Justices of the Peace, it shall be lawful for any other Person whatsoever, either to proceed to recover the
said

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said Penalty by Information and Conviction before a Justice, or to sue for the same by Action of Debt, &c. in any Court of Record, wherein no Essoin, &c. shall be allowed, or more than one Impar lance ; and the Plaintiff, if he recover, shall have double Costs.

II. *Seçt.* 2. Provided, That all Suits and Actions to be brought by Force of this Act, shall be brought before the End of the next Term after the Offence committed ; and that no Offender against any of the Laws now in Being for the better Preservation of the Game, shall be prosecuted for the same Offence, both by the Way prescribed by this Law, and by the Way prescribed by any of the former Laws ; and that in Case of any second Prosecution, the Person so doubly prosecuted, may plead in his Defence the former Prosecution pending, or the Conviction or Judgment thereupon had.

Gaols.

I. *Stat.* 6 G. c. 19. *Seçt.* 1. So much of the Act 10 A. c. 14, as relates to the Building and Repairing County-Gaols, is made perpetual.

Great Yarmouth.

I. *Stat.* 7 G. c. 11. *Seçt.* 1. At the humble Petition and Desire of the Mayor, Aldermen, Burgesses, and Commonalty of the Burgh of *Great Yarmouth* in the County of *Norfolk*, in Common-Council assembled, it is enacted, That the Chapel called *St. George's Chapel* in the said Burgh, with the Enclosure round the same, the Trees planted on each Side thereof, with whatever else is necessary for the Finishing, Adorning and Defence thereof, be forthwith compleated ; and that such Lights, in such Numbers, of such Sorts, and in such Places of the said Town, as the said Mayor, &c. for the Time being shall direct, shall be erected and placed ; and also such Provision made for the Support of the Ministers and Officers to officiate in the said Chapel, and for the yearly Expence of repairing and maintaining the said Lights, as the Mayor, &c. shall appoint ; so as such Ministers be legally and canonically qualified, and licensed by the Bishop of *Norwich*, his Vicar General, or other Person having lawful Authority in that Behalf : Which Ministers and Officers shall be nominated by the Mayor, &c.

II. *Seçt.* 2. After 25 *March* 1721, there shall be paid by the Master, or other Person having the Command of any Ship or Vessel, or other Persons unlading and delivering
ashore

ashore within the said Town, Coals, Culm, or Cynders, the Duties following, viz. For every Chalder of Sea-Coals, Culm or Cynders, containing 36 Bushels *Winchester Measure*, 2 s. and for every Chalder of *Welch Coals*, containing 14 Bushels, according to the antient and accustomary Measure of the said Town, 2 s. and so proportionably, for 35 Years next ensuing, and after the End of the said Term 1 s. for ever; to be paid to such Persons, and in such Manner, as the Mayor, &c. shall direct.

III. *Señ.* 3. The said Mayor, &c. may nominate and chuse Collectors or Receivers of the said Duties, and remove them at Pleasure: And the said Collectors shall pay the Duties to such other Persons as the Mayor, &c. shall appoint.

IV. *Señ.* 4. The Coal-Meters of *Great Yarmouth* and their Deputies, so soon as any Vessel freighted with Coals, Culm or Cynders, shall be unladen within the Haven of the Town, shall forthwith deliver upon Oath a Certificate to the Persons authorized to receive the Duties (which Oath such Persons are impowered to administer) of the Sorts, Quantities and Numbers of Chalders of Coals, &c. measured and delivered ashore within the Town, from on Board any Ship, &c. on Pain to be suspended for one Year from the Execution and Benefit of their Office, and to forfeit 5 l. one Moiety to the Informer, the other to the Poor of the Parish of *Great Yarmouth*, to be recovered in a summary Way, upon Conviction by Oath of one Witness, or Confession of the Offender, before the Mayor or his Deputy. And in Case the Duties shall not be forthwith paid by the Master of the Ship, &c. then the Collectors, by Warrant under Hand and Seal of the Mayor or his Deputy, may distrain the Ship, and all her Tackle, Apparel and Furniture, or any Part thereof, and keep the same till the Duties are paid: And if not paid in ten Days after taking such Distress, then they may sell the Distress, and therewith satisfy themselves, as well for the Duties, as for their reasonable Charges in taking and keeping the Distress; rendering the Overplus to the Persons offending.

V. *Señ.* 5. If after the said 25 *March* 1721, any Person shall land in the said Town, out of any Keels, Wherries, or Boats, or shall bring in by Horses, Carts, or other Carriages, any Coals, Culm or Cynders, that have not paid the Duties, without a Certificate from the Collectors, for Leave to land or bring in such Coals, &c. every Person so offending shall forfeit, over and above the Duties hereby granted, 20 s. for every Chalder, and so proportionably; one Moiety to the Informer, the other to the Poor: Which Offence shall be proved by the Confession of the Party, or Oath of one Witness before the Mayor or his Deputy, who are empowered to administer the said Oath, and to examine and determine the same Offence in a summary Way, and to cause such Penalties,

ties, by Warrant under his Hand and Seal, upon such Conviction, to be levied by Distress and Sale of the Offenders Goods, together with reasonable Charges of taking and keeping such Distress, rendring the Overplus; and for Want of sufficient Distress, to imprison the Offender till Satisfaction made.

VI. *Seçt.* 6. The Collectors, on Oath made before them, That the Coals, &c. put on Board any Keel, &c. or loaded on any Cart, &c. were landed in Order to be sent into the Counties of *Norfolk* and *Suffolk*, or City of *Norwich*, and have paid the Duties charged by this Act, shall, without Fee, pay to the Persons demanding the same, within six Days after such putting on board, or loading, and making Oath, 2*s.* for every Chalder.

VII. *Seçt.* 7. The Collectors shall pay to Persons who sell or retail Cynders made in *Great Yarmouth*, of Coals that have paid the Duty of 2*s.* 1*s.* 4*d.* per Chalder only, for every Chalder of such Cynder.

VIII. *Seçt.* 8. The Mayor or his Deputy may administer an Oath to such Person as shall be appointed a Collector, for the true and faithful Execution of his Office, according to the Intent of this Act. And the Collectors shall be allowed for their Care and Pains in executing the said Office, out of the clear Duties by them received, so much as the said Mayor, &c. shall think fit, not exceeding 6*d.* in the Pound.

IX. *Seçt.* 9. The Collectors shall give Security to the Mayor, &c. for the faithful Execution of their Office, and for paying the Duties by them collected, to such Persons, and in such Manner, as the Mayor, &c. shall direct; and for their yearly or oftner Accounting for the same, when they, their Executors, &c. shall be thereto required.

X. *Seçt.* 10. The Mayor, &c. may engage the Profits arising by the said Duties, for such Sums as they shall think fit; and by Indenture under their Common-Seal transfer the said Profits, and grant and convey the same for any Number of Years, not exceeding the said Term of 35 Years, to any Persons who will advance present Money on that Security, with Interest not exceeding 5*l.* per Cent. which Money so borrowed shall be applied by the Mayor, &c. for finishing, adorning, and Defence of the said Chapel, for erecting Lights in the Town, and for making Provision for Ministers and Officers as aforesaid, to officiate in the said Chapel, and for repairing and maintaining the said Lights.

XI. *Seçt.* 11. And in Case any Sums which have been advanced on the Credit of the former (private) Act of 12 *A. Seçt.* 2. c. 1, shall not be repaid at the Time of the Commencement of this Act, the Mayor, &c. may, by Indenture under their Common-Seal, transfer and engage the said Pro-
fits

fits for paying the Sums so lent, and all Interest due for the same; which Sums and Interest shall be first paid before any Money to be borrowed by Virtue of this present Act.

XII. *Seç.* 12. After the Expiration of the said Term of 35 Years, and that 1*s.* *per* Chalder only continues to be levied, there shall be a Drawback for Coals, &c. landed in *Great Yarmouth*, and afterwards carried into the Counties of *Norfolk* and *Suffolk*, and City of *Norwich*, equal to and no more, than what was paid for the Duty of the said Coals, &c. upon landing the same; and from thenceforth the Drawback for Cynders made in *Yarmouth*, and carried into the said Counties, &c. shall be equal to and no more, than the two third Parts of the Duty paid for the Coals of which such Cynders were made.

XIII. *Seç.* 13. If any Person shall, after Drawback paid for the Coals, &c. put on board or loaded as aforesaid, bring back, or reland the said Coals, &c. in *Yarmouth*, every Person so offending shall pay to the Collectors the Duties of all such Coals, &c. so brought back, &c. and also forfeit 20*s.* *per* Chalder, and so proportionably: One Moiety to the Informer, and the other to the Poor, &c. to be recover'd in a summary Way upon Conviction by Oath of one Witness, or Confession of the Offender, before the Mayor or his Deputy.

XIV. *Seç.* 14. No Coals, &c. hereafter to be retail'd in *Great Yarmouth*, shall be measured by any other Persons than one of the sworn Meters, or with any Measure but the usual sealed Measure belonging to the said Town.

XV. *Seç.* 15. No Coals, &c. laden on any Keel, &c. to be carried into the Counties of *Norfolk*, &c. shall be landed in *Great Yarmouth* in any less Quantity than a Chalder, nor without one of the sworn Meters of the Town being present, except only when the whole Quantity laden on such Keel, &c. is deliver'd ashore in the said Town.

XVI. *Seç.* 16. If at the Expiration of the said Term of 35 Years, all the Monies borrowed for the Purposes aforesaid, with the Interest thereof, shall be fully paid off, or as soon as the same shall be paid off, (though before the Expiration of the said Term) and there shall remain any Overplus, such Overplus shall be adjusted and declared as soon as the Account can be made up; and the Mayor, &c. shall apply the same for the publick Benefit of the Town, either by laying out the Whole thereof, or making it a Fund of Interest for that Purpose, in such Manner as the said Mayor, &c. shall, within one Year after the Expiration of the said 35 Years, or after the said Debt and Interest shall be paid off, direct.

XVII. *Seff.* 17. After the Expiration of the said 35 Years, and after the Duty of 1*s.* only *per* Chalder is to be paid, if the annual Amount of the said Duty of 1*s.* shall be more than is necessary to defray the Charges of making Provisions for Ministers and Officers to officiate in the said Chapel, and for repairing and maintaining the Lights, such Overplus may be applied for the publick Benefit of the Town, in such Manner as the Mayor, &c. shall direct.

XVIII. *Seff.* 18. Notwithstanding the Building of the said Chapel, and performing Divine Service therein, the Town of *Great Yarmouth* shall always continue and be but one Parish; and the Churchwardens shall have and enjoy such-like and the same Powers to act and do all Things pertaining to their Office, within and relating to the said new Chapel called *St. George's Chapel*, in the same Manner, and not otherwise, than as they may or ought to do, within or relating to the Parish-Church.

XIX. *Seff.* 19. All Coals, &c. landed, and all Cynders made in *Cobham Island*, shall not be subject to the Duties, unless such Coals, &c. be afterwards brought to *Great Yarmouth*; and in such Case they shall be liable to the Duties, and under the Penalties and Forfeitures herein before contained.

XX. *Seff.* 20. The said Exemption shall not in any wise excuse the Inhabitants, Owners or Occupiers of the said Island from paying all Parish-Duties to the Parish of *Great Yarmouth*: But they shall at all Times hereafter pay all Parish Rates and Duties to *Great Yarmouth*, in respect of all Lands, Salt-works and Stock belonging to the said Island, in the same Manner and Proportion as the Inhabitants of *Great Yarmouth* shall from Time to Time be charged with and pay.

XXI. *Seff.* 21. The Mayor, &c. may make such Allowance for Coals that have paid the Duty, and shall be expended in making Salt within the said Town, as they shall think reasonable.

XXII. *Seff.* 22. The said Act of 12 *A. Seff.* 2. c. 1, shall, after 25 *March* 1721, cease, and be of no Effect.

XXIII. *Seff.* 23. Saving to the Dean and Chapter of *Norwich*, and to the Curate of *St. Nicholas* in *Great Yarmouth*, all Tithes, &c.

XXIV. *Seff.* 24. Saving to the Inhabitants of the Counties of *Norfolk*, and *Suffolk*, and to the City of *Norwich*, all Franchises, Rights, &c. as if this Act had not been made; unless in Respect of such Coals, &c. as shall be landed in *Great Yarmouth*, and spent there.

XXV. *Seff.* 25. Persons sued, &c. may plead the General Issue, &c. and recover double Costs for their wrongful Vexation.

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XXVI. *Seff.* 26. This Act shall be allowed in all Courts as a publick Act; and all Judges and Justices are to take Notice thereof as such, without special pleading the same.

XXVII. *Stat.* 9 *G. c.* 10. An Act for clearing, depthning, repairing, &c. the Haven and Piers of *Great Yarmouth, &c.* See Harbours, Par. XXXIX.

Harbours.

I. *Stat.* 7 *G. c.* 9. *Seff.* 1. No new Walls, Banks, Dams or Stops, shall hereafter be erected, set up or made, on either Side of the Water, that shall or may restrain, stop, hinder, or alter the present Flux and Reflux of the Sea, between the Mouth of the Harbour of *Rye* in the County of *Sussex*, bounded by two Points of Land commonly called *The Camber* and *Castle-Points*, and a Place called *New-Shut*, near *Craven-Sluce*, in the Counties of *Sussex* and *Kent*, or one of them.

II. *Seff.* 2. All such new erected Walls, &c. or which shall hereafter be erected within the said Limits, shall be, and are hereby declared publick Nuisances to the said Harbour, and shall be liable to be abated and removed as other publick Nuisances; and the Persons erecting, &c. such new Walls, &c. shall be liable to be prosecuted and proceeded against for erecting, &c. the same (at the Assizes for the County in which the said new Walls, &c. shall be so erected, &c.) in such and the like Manner, as any Persons are liable to be prosecuted, by any Law now in Force, for erecting any publick Nuisance.

III. *Seff.* 3. If any Suit be commenced against any Person for any Thing done in Pursuance of this Act, the Action shall be laid in the County where the Matter of Complaint shall arise; and the Defendant may plead the General Issue, &c. and recover his full Costs.

IV. *Seff.* 4. This shall be deemed a publick Act, and be judicially taken Notice of as such by all Judges, Justices, and other Persons whatsoever.

V. *Stat.* 7 *G. c.* 14. *Seff.* 1. The several Rates and Duties by the (private) Act 6 *A. c.* 8, For repairing the Harbour and Key of *Watchett* in the County of *Somerset*, granted and made payable for the Term of 21 Years, shall, after the Expiration of the said Term, be charged upon and paid for the several Goods and Merchandizes, and also the Tunnage and Keelage of Ships and Vessels (in the said Act mentioned) for the

the further Term of 21 Years; and the said Duties by that Act granted, shall be raised, collected, managed and paid by such Ways and Methods, and by such Rules and Directions, and under such Penalties and Forfeitures, as are prescribed in the said former Act, or in a Clause in the Act 10 A. c. 24, touching Goods shipped or discharged at the *Blue Anchor* or *Cleave-Steps*, or other Places adjoining to the Harbour and Key of *Watchett*: And the said Act 6 A. and the said Clause in the Act 10 A. c. 24, shall be in Force during the Term hereby continued, as fully as if the same were at large repeated and re-enacted in this Act.

VI. Sect. 2. Nothing herein shall extend to make void or discontinue the Payment of the Duties by the said Act of 6 A. charged and made payable for the constant and necessary Reparations of the Key or Harbour, after the Expiration of the Term of 21 Years thereby granted: But the said Duties shall, after the Expiration of the Term hereby continued, (so long as the said Pier and Harbour shall be kept in Repair) be made payable to the Persons, and in such Manner, and under such Rules and Penalties, as are expressed in the said Act of 6 A. or in the said Clause in the Act 10 A. concerning the same.

VII. Sect. 3. This Act shall be deemed a publick Act, and be judicially taken Notice of as such by all Judges, Justices, and other Persons whatsoever.

VIII. Stat. 7. G. c. 16. Sect. 1. After 1 May 1723, there shall be paid to the Trustees hereafter named, viz. The Lord of the Manor of *Whitby* for the Time being, *John Burdett Esq;* *Gideon Meggison Gent.* *Henry Stonehouse*, *Reuben Linskill*, *Thomas Linskill*, *John Hird*, *John Smallwood*, *Robert Linskill* and *Joseph Linskill*, and to such other Persons as shall hereafter be appointed Trustees, for ever, for and towards improving, repairing, and keeping in Repair the Piers of the Town and Port of *Whitby*, for all Coals landed there, 6d. per Chalders Town-Measure, for every Weigh of Salt 2s. for every Quarter of Malt, Corn and Grain 4d. for all foreign Goods imported in *English* Bottoms, 3d. per Tun; and all foreign Bottoms importing such Goods, 6d. per Tun; for Butter shipped off from *Whitby*, 1d. per Firkin; for all dried Fish and Mud-Fish shipped off, 1d. per Score; for all Barrelled Fish, 3d. per Barrel; for every *English* Ship or Vessel which shall enter within the Piers, 1s. for every Top of such Ship 4d. and all foreign Ships so entring 2s. and for every Top of such Ship 4d. The Duties to be paid on the shipping or loading, and landing or unloading the said Goods, and at the Entrance of such *English* and Foreign Ships into the Harbour on Demand; and in Default of Payment the Collectors may distress

strain and levy the same in the Manner hereafter mentioned.

IX. *Seçt.* 2. The Trustees, or major Part of them, may appoint such Persons to be Collectors of the Duties, as they shall think fit, and allow them for their Pains in collecting, &c. not exceeding 12 in the Pound.

X. *Seçt.* 3. All such Sums so to be collected, shall be paid to such Collectors, and by them to such Persons as the Trustees, under their Hands and Seals, shall appoint to receive the same, for the Uses aforesaid.

XI. *Seçt.* 4. All the Monies received after 1 May 1723, by Virtue of this Act, shall, (after paying the Charges of passing this Act) be employed in repairing, improving, and continually keeping in good Repair the said Piers and Harbour, and to no other Use, (such Charges of collecting and paying the same, as aforesaid, excepted).

XII. *Seçt.* 5. The Trustees shall take of the Collectors good and sufficient Security, as well for answering and paying all the Monies by them received, to such Persons as the Trustees shall appoint, and not otherwise; as also for their giving and making a true Account in Writing, as often as ordered by the Trustees so to do, of all the Monies by them received, and when, of whom, and for what; and of all Monies by them disbursed, and when, and to whom, and by what Order: And the Trustees shall meet at least once in every Year. at the Town of *Whitby*, between the first and last Days of *May*, or oftner if they think fit, and call before them the Collectors, and audit and state their Accounts, and draw up in Writing and sign a true Account of all Monies, by Virtue of this Act collected and disbursed, and not then accounted for and applied to the Uses before directed.

XIII. *Seçt.* 6. The Lord or Lady of the Manor of *Whitby* for the Time being, or they whom he or she shall by writing appoint, and the Justices of Peace within the North-Riding of *Yorkshire*, may be present at the stating those Accounts by the Trustees, and at any other Time peruse and examine the same; and the Trustees shall upon Request permit them so to do.

XIV. *Seçt.* 7. The Trustees may contract with Workmen, Artificers, Masons, Smiths, or other Persons, *bona fide*, for the making and doing all or any Part of the Work about repairing, &c. the said Piers; and also with Persons for Stones or other Materials, requisite to be used in repairing the same.

XV. *Seçt.* 8. Every of the said Accounts so stated by the Trustees, shall, at the next Quarter-Sessions for the said North-Riding, (if required by any Persons having Interest in the said Accounts, or by any two of the said Justices) be
laid

laid before the Justices by the Trustees or some other Person appointed by them : And the said Justices in their Quarter-Sessions may summon before them, and examine upon Oath any such Persons as they shall think fit ; and if they find any of them guilty of any Concealment, Imbezilment, or Misapplication of any Monies raised by this Act, they may impose a Fine not exceeding treble the Sum so found to be concealed, &c. upon every of the Persons so found guilty thereof ; and such Fines shall be levied by Distress and Sale of the Goods of every Offender, by Warrant of any Justice for the said North-Riding, directed to the Constable of the Parish wherein such Offender lives, rendering him the Overplus ; and in Default of such Distress and Payment, the Offender shall be committed to the Common Gaol of *York*, by Warrant of any such Justice, there to remain without Bail till Payment ; and the Fine when levied, shall be paid to such Person as the Trustees shall appoint, and be applied towards repairing the said Piers and Harbour.

XVI. *Seff.* 9. If the Trustees or Collectors refuse or omit to lay before the said Justices in their Sessions, when thereto required six Days before the Commencement of such Sessions, by writing under the Hands and Seals of two of the said Justices, all or any of their Books of Accounts so stated and kept by them ; then the said Justices in open Sessions may impose a Fine not exceeding 100*l.* for every such Refusal or Omission, on every of the said Trustees and Collectors whom they shall find to have been the Authors or Occasion thereof ; to be recover'd by Action of Debt, &c. in any Court of Record at *Westminster*, wherein no Effoin, &c. shall be allowed : One Moiety of such Penalty to be to the Use of the Prosecutor, the other to be paid to such Persons as the Trustees shall direct ; and to be applied towards repairing the Piers and Harbour.

XVII. *Seff.* 10. If the Trustees or Collectors refuse or omit to lay before the said Justices in open Sessions, when thereto required, six Days before the Commencement of such Sessions, by Writing under the Hands and Seals of two of the said Justices, their Books of Accounts, the said Justices in open Sessions may impose a Fine not exceeding 100*l.* for every such Neglect or Omission, on every of the said Trustees and Collectors whom they shall find to have been the Authors or Occasion thereof ; to be recovered by Action of Debt, &c. one Moiety to the Use of the Prosecutor, and the other to be paid to such Person as the Trustees shall direct ; to be apply'd towards repairing the Piers and Harbour.

XVIII. *Seff.* 11. The Collectors of the Duties by the former Acts imposed, may, till 1 *May* 1723, and from thence the Collectors appointed by Virtue of this Act, enter on board

any Ship, Boat, or Vessel, within the said Piers, and take an Account of what Duties are payable by Virtue of this or the former Acts for Goods on board such Ship, &c. and collect every such Duty; and for Nonpayment by the Merchants or Owners of such Goods, their Factors or Agents, or the Person having the Command of such Ship, &c. upon Demand thereof, such Collectors may seize and distrain such Goods, and all other Goods belonging to the same Owners, &c. which shall then, or at any Time afterwards, be found within the Piers, or upon any adjoining Wharf, or in the Customhouse of *Whitby* (other than Goods seized for Customs *bona fide* due to his Majesty) and also all the Guns, Tackle, Furniture and Apparel of any Ship within the Piers; and in Case of Neglect or Delay in Payment of the Sums for which such Distress shall be taken, by the Space of 20 Days, the Collectors may sell the Goods, &c. so distrained, and therewith satisfy themselves, as well for the said Duties, as for their reasonable Charges in taking, keeping and selling such Distress, rendering the Overplus to the Owners, or their Factors; or to the Collector of the Customs at *Whitby*, for the Use of such Owners when they shall require the same.

XIX. *Seçt.* 12. The Trustees, on extraordinary Occasions or Damage happening to the Piers, and not otherwise, may mortgage the Profits arising by the Duties, to any Persons who will lend present Money after the Rate of Interest at 5*l.* per Cent.

XX. *Seçt.* 13. Any two of the Trustees, by Warrant under their Hands and Seals, directed to the Collectors, may summon before them at any Time or Place mention'd in such Warrant, within the said Town or Harbour of *Whitby*, any Person being then there; and upon Oath, or Affirmation if Quakers, may examine and enquire of and concerning all Goods by this Act made liable to pay the Duties; and whether all or any, and what Part of such Duty, has, and when, by or to whom been paid or not; and if any Person so summoned do not appear, or refuse to be sworn, or to answer and discover what they know or believe concerning the Matters so enquired of, every such Person shall forfeit for every such Non-appearance, Refusal, and for not answering and discovering as aforesaid, 20*l.* to be recover'd by Action of Debt, &c. one Moiety to the Prosecutor, the other to be paid to such Persons as the Trustees shall direct, and to be applied towards repairing the Piers, &c.

XXI. *Seçt.* 14. As any of the Trustees shall die or refuse to act, the major Part of the acting Survivors may appoint others in their Room; and such Trustees shall have the same Powers, &c. as if they had been appointed by this Act.

XXII. *Señ.* 15. There shall not be more than ten Trustees at one Time, and the Lord of the Manor of *Whitby* shall always be one of them.

XXIII. *Señ.* 16. No Person shall throw any Ballast, Dust, Ashes, Earth, Rubbish or Stones into the Harbour, or do any Thing to prejudice or annoy the same; and the Matter of such Prejudice or Annoyance shall be examined into by the Trustees, the major Part of whom may for every Offence impose a Fine on the Person offending not exceeding 40*s.* which any two of them by Warrant under their Hands and Seals, directed to any of the Collectors, may levy by Distress and Sale of the Offenders Goods, rendring the Overplus; and the Fines shall be paid to such Persons as the Trustees shall appoint, and be apply'd for repairing the Piers and Harbour.

XXIV. *Señ.* 17. The Trustees impowered to put the Act 5 *G. c.* 10, and other Acts for Repair of the Piers of *Burlington* in Execution, or any five of them, may by Indenture under their Hands and Seals absolutely grant, sell, convey or assign over, all or any Part of the Tolls and Duties granted by the said Acts, or grant any clear annual Rents out of the same, or any Part thereof, to such Persons as shall purchase the same, for all the Residue of the Terms for which such Tolls, &c. are granted, subject to the Repayment of the 5500*l.* already borrowed, with the Interest for the same; and the Money arising by such Sale, &c. shall be applied for building, repairing and finishing the Piers of *Burlington*.

XXV. *Señ.* 18. The Collectors of the Duties by the Act 5 *G.* may go on board any Vessel within the Port of *Burlington*, and take Account of, and demand the Duties; and for Non-payment distrain and sell all or any of the Goods, Wares and Merchandizes, the Furniture, Tackle or Apparel of any Ship or Vessel, on Account whereof the said Duties are payable, in the same Manner as the Collectors of *Whitby* are hereby impower'd to do: And the Trustees for executing the said Acts, or any two of them, are authorized to summon before them, and examine on Oath or Affirmation, touching the Duties by 5 *G.* made payable at *Burlington*, any Persons within the said Town, and for their Non-appearance or Refusal to answer, to impose such Fines, and levy the same by such Means and in such Manner, as any two of the Trustees for the Port of *Whitby* are hereby impower'd to do; and all the Penalties hereafter to be levied by Virtue of this Act, relating to the Port and Piers of *Burlington*, shall be applied towards the repairing and lenthening thereof.

XXVI. *Señ.* 19. Any five of the Trustees appointed in Pursuance of the said former Acts, may by Writing under their Hands and Seals, appoint such Person, with such annual

nual Allowance not exceeding 10*l.* *per Annum*, out of the said Duties, as they shall think fit, to order all Persons having the Command of any Ship or Vessel in the said Port, to lie, anchor, moor and ballast the same, in such Places as the said Person shall direct; and if such Commander shall refuse or neglect so to do, he shall, for every such Neglect or Refusal, forfeit 5*l.* And if any Ballast, Stones, or Rubbish shall be thrown into the said Harbour, by any Person on board, or belonging to any Ship or Vessel, the Person having the Rule thereof shall for every Offence forfeit 20*s.* which Penalties shall by Warrant of any two or more of the Trustees be levied by Distress and Sale of all or any Part of the Tackle, &c. of such Ships, &c. rendring the Overplus, the Charge of such Distress being first deducted.

XXVII. *Seç.* 20. Persons examined on Oath or Affirmation, by Virtue of this Act, swearing or affirming falsely, and being convicted thereof by Indictment or Information, shall suffer all such Pains and Penalties, as by any other Law now in being are to be inflicted on Persons convict of wilful Perjury.

XXVIII. *Seç.* 21. Persons sued, &c. may plead the General Issue, &c. and on a Verdict, &c. shall recover full Costs.

XXIX. *Seç.* 22. This Act shall be construed most beneficially for repairing and keeping in Repair the said Piers and Harbours, and shall be taken in all Courts as a publick Act; and all Judges and Justices are to take Notice thereof as such, without specially pleading the same.

XXX. *Stat.* 8 *G. c.* 11. *Seç.* 1. That the Haven and Piers of *Bridport* in the County of *Dorset* may be restored and rebuilt, and Sluces made, with proper and convenient Keys, Wharfs and Landing Places for loading and unloading of Ships, it is enacted, That the Bailiffs and Capital Burgesses of the Borough of *Bridport* in the County of *Dorset*, and their Successors, shall be Trustees for designing, carrying on and effecting the said Purposes; and they or their Assigns, at any Time after 24 *June* 1722, at or near *Bridport* Mouth, being an open or level Piece of Land, lying between the East and West Cliffs which bound the Sea there, and from the Sea Northward as far as *Irepoole*, on which Ground the antient Harbour was, may design and lay out in what Places the new intended Harbour and Piers, and the Sluces, Keys, Wharfs and Landing Places, shall be made, open'd, and built, and where the Materials for effecting the Works shall be laid, and in what Places the Ways to the Harbour shall be made.

XXXI. *Señ.* 2. The said Bailiffs and Burgesſes, or the major Part of them, their Assigns, Servants and Workmen, may take, remove, and use for the Purposes aforesaid, all such Rocks and Stones as shall be found on the Sea-Shore, between High and Low Water-Marks within three Miles from *Bridport* Mouth, and may have free Passage in all convenient Places; and at all fit Seasons in the Year may do all necessary Matters and Things for the better carrying on and effecting the Purposes aforesaid.

XXXII. *Señ.* 3. Provided, That they and their Assigns shall make Satisfaction to, or Composition with all Owners, Occupiers and Possessors of the Ground which shall be laid out for the said Purposes; and if any Persons shall refuse to agree with the said Bailiffs, &c. for their Rights and Interests in such Grounds, as through Disability by Nonage, Coverture, &c. or by Reason of any Intails or Trusts, cannot make such Agreement; in such Case any two Justices of the Peace for the County of *Dorset* are impower'd and required, upon Application of the Bailiffs, &c. to issue their Warrant to the Sheriff of the said County for the impanelling and returning, and the said Sheriff is hereby required to impanel and return, four and twenty Persons duly qualify'd to serve on Juries or the Trial of Issues join'd in the Courts of Law at *Westminster*, before the Justices at the next Quarter-Sessions for the said County; to any of which Persons the Parties interested may have their legal Challenges; and the first twelve remaining on the Panel after such Challenges allowed, shall, being first sworn, (which Oath, and also Oaths to such Persons as shall be produced as Evidence, the said Justices are impower'd to administer) enquire of and assess such Damages and Recompence as they shall think fit to be awarded to the Proprietors, &c. of the Ground laid out for the Purposes aforesaid, for their Estates and Interest therein, or for such Loss and Damage as they may thereby sustain: And the Sheriff, some Time before the Return of the Precept, is required to have six at least of the 24 so to be returned for the Jury, to view the Places in Question: And the Justices shall give Judgment for all such Sums as by the Jury shall be assessed for Damages; and the same Judgment given and pronounced by the said Justices and Jury, (publick Notice in Writing being first given and set up at the Market-Cross of *Bridport*, and left at the Dwelling-House of the Occupiers of such Grounds, at least 20 Days before the Quarter-Sessions) shall be binding against such Parties as shall be named therein, their Heirs, &c. and all others claiming any Titles or Interest in the said Grounds, in such Judgments to be mentioned, or any Thing thereto belonging, in Possession, Reversion, Remainder, or otherwise, as well Infants

fants and Feme-Coverts as others: And the Judgment shall be certify'd in Writing under the Hands of the Justices, or the major Part of them, and shall be kept amongst the Records of the Sessions of the Peace for the said County, by the *Custos Rotulorum*, or Clerk of the Peace, to which all Persons may resort and view the same without Fee: All which shall be deemed good and sufficient Evidence in any Court of Record: And upon Payment of the Money in the Judgment mention'd, or Tender thereof, to the Persons concern'd therein, at their Dwelling-House or other Place of Abode; or giving Security to the Good-Liking of the Justices for the same, in Case of any future or contingent Interest, then, and not before, the said Bailiffs, &c. their Workmen, &c. may dig and cut any Ground so to be laid out, and thereon erect or set up any Piers, Walls or other Works or Buildings, and do any such farther Acts for restoring, &c. the said Harbour, Piers, Sluces, Keys, Wharfs, Landing-Places and Ways as aforesaid, as to them shall seem meet: And the said Bailiffs, &c. are hereby indemnify'd in so doing, against the Owners and Occupiers of such Ground, and their Heirs, &c. and all Persons in Possession, Reversion, Remainder, or Expectancy: And the said Ground so to be laid out for the Purposes aforesaid, shall from thenceforth be vested in them and their Successors, for ever.

XXXIII. *Sett. 4.* There shall be paid to the Collector, to be appointed as is herein after mentioned, for every Weigh of Salt, for every Last of Wheat, Rye, Barley, Malt, or other Grain, for every Chalder, *Winchester* Measure, of Coals and Culm, and for every Tun of other Goods, Wares and Merchandizes whatsoever, imported or landed and discharged out of any Ship or Vessel in the said Haven, or which shall be exported from thence by Water, 1*s.* and so proportionably; to be paid before the same shall be landed or deliver'd out of, or laden into any Ship or Vessel: And there shall also be paid for every Ship, Hoy, Bark or other Vessel, of the Burthen of ten Tuns or upwards, which shall hereafter come into the said Haven, 2*d.* for every Tun such Ship, &c. shall contain: Which Duties shall be paid by the Master or other Person having the Command of such Ship, &c. And no Officer of the Customs belonging to the said Port, shall take any Entries, grant any Warrant, give or make out any Cocquets for the Shipping or Discharging any Goods, till the Duties hereby granted are paid; or shall permit any such Ship, &c. to go out of the said Haven, till the Master shall produce a Receipt for Payment of the Duties; which Receipt the Collector is required to give.

XXXIV. *Sett. 5.* The Bailiffs and Burgeffes may, by Writing under their Common Seal, appoint such Persons to be Col-

Collectors of the Duties, as they shall think fit; which Collectors shall once in every Month pay the same into the Hands of the Cofferers of the said Borough, or of such other Persons as the Bailiffs, &c. shall direct: And the Collectors may go on board any Ship, Hoy, Bark, or other Vessel, to demand and receive the Duties, and for Nonpayment thereof distrain every such Ship, &c. and all or any Part of her Tackle, Apparel or Furniture; and also of the Goods, Wares and Merchandizes chargeable with the Duties, and keep the same till satisfied; and if the Duties are neglected to be paid by the Space of ten Days after such Distress so taken, then the Collectors may sell the same, and satisfy themselves as well for the Duties, as for their reasonable Charge in taking and keeping such Distress, rendering the Overplus to the Master, &c.

XXXV. *Señ. 6.* The Bailiffs, &c. may, by Indenture under their Common Seal, convey the Duties as a Security for Money to be borrowed for the Purposes of this Act, to any Persons who will advance the same.

XXXVI. *Señ. 7.* Books shall be kept by the Collectors, in which all the Monies received by Virtue of this Act shall be fairly entered, expressing the Time when, and the Names of the Persons from whom the same were received: And other Books shall be kept by the Bailiffs, &c. in which all the Money disbursed by them, or their Order, for the Purposes aforesaid, shall be duly set down; and when the Harbour and Piers shall be restored and rebuilt, so far as to be capable of receiving and securing Ships, &c. then every Year, at the General Quarter-Sessions held for the County of Dorset, next after *Michaelmas*, the Bailiffs and Collectors said Books shall be produced to the Justices there, together with proper Vouchers for such Disbursements; which Justices shall state and balance the Accounts from the said Books; and when it shall appear to them, (and be by them certified) that the Bailiffs, &c. are by the said Duties fully reimbursed the Principal Monies by them laid out for the Purposes aforesaid, with Interest for the same, the said Duties shall cease; and from thenceforth there shall be paid to the Collectors for every Weight of Salt, for every Last of Wheat, Rye, Barley, Malt, and other Grain, for every Chaldron of Coals and Culm, *Winchester* Measure, and for every Tun of other Goods, Wares and Merchandizes, imported and landed, or discharged out of any Ship, &c. in the said Haven, or exported and carried out of the said Port by Water, 6*d.* and so proportionably, and no more; and for every Ship, &c. which shall come into the said Haven, 1*d.* per Tun, and no more; which last Duties shall be levied, &c. in such Manner as the first mentioned Duties are hereby directed to be levied, &c.

and

and shall, by the said Bailiffs, &c. be applied to repairing, preserving, maintaining and supporting the said Haven and Piers, and the Sluces, Keys, Wharfs, and Landing Places.

XXXVII. *Seç. 8.* This shall be a general and publick Aæt, and so construed in all Courts; and if any Person be sued for any Thing done in Execution hereof, they may plead the General Issue, &c. and if the Plaintiff become nonsuit, &c. the Defendant shall have his full Costs.

XXXVIII. *Seç. 9.* Saving to the Lords of the Manors of *Symondsbury, Burton, and Brothenhampton*, all their Rights and Liberties of Fishing and Fowling, all Wrecks of Sea, and all other Royalties and Franchises, within the Precincts of their Manors; so that the Harbour, Keys, Wharfs, Sluces, and other the Purposes by this Aæt intended to be restored and made, be not in any Wise, defeated or obstructed.

XXXIX. *Stat. 9. G. c. 10. Seç. 1.* After 25 *March* 1723, for 21 Years, and to the End of the then next Session of Parliament, there shall be paid by every Master, or other Person having the Rule of any Ship, which shall unlade within the Haven of *Great Yarmouth*, or in *Yarmouth Road*, extending from the South Part of *Stratby* in the County of *Norfolk*, to the North Part of *Corton* in the County of *Sussex*, at the Time of unlading thereof, for the Goods following. *viz.* For every Chalder of Coals, *Winchester* Measure, Last of Wheat, Rye, Barley, Malt or other Grain; for every Weigh of Salt, and Tun of other Goods (Fish only excepted) such Sums not exceeding 12*d.* as the Mayor, Aldermen, Burgessees, and Commonalty of *Great Yarmouth* in Common Council assembled, shall appoint; to be applied as follows, *viz.* Such Part of the said Money arising out of the said Duties, not exceeding 6*d.* towards clearing, depthning, repairing, extending, maintaining, and improving, the Haven, Piers and Jettées, as the Mayor, &c. shall order; and 3*d.* other Part of the said Monies, shall be yearly raised by the Mayor, &c. and shall on 24 *June* yearly, during the Continuance of this Aæt, be divided and paid by the Chamberlain of *Great Yarmouth*, or such other Person as shall be appointed to receive the said Duties, in the Manner and Proportions following, *viz.* One Penny Halfpenny, Part of the said 3*d.* to the Chamberlain of *Norwich*, to be applied towards clearing and depthning such Part of the Chancel of the River *Yare*, between the new Mills in *Norwich* and *Hardly-Cross*, and for such other Purposes, as the Mayor, Sheriffs, Citizens and Commonalty of *Norwich*, in Common Council assembled, shall order; and one Halfpenny, other Part of the said 3*d.* to such Persons as shall be yearly named by the Justices at their Quarter-Sessions, holden at the Castle of *Norwich*, for the

the County of *Norfolk*, to be applied towards clearing and depthning the River *Bure*, commonly called the *North-River*, and for such other Purposes as the said Justices shall appoint; and one Halfpenny, other Part of the said 3 *d.* to such Persons as shall be yearly named by the Justices at their Quarter-Sessions holden at *Beccles*, for the County of *Suffolk*; to be applied towards the clearing and depthning of the River *Waveney*, and for such other Purposes as the said Justices shall order; and one Halfpenny, the Residue of the said 3 *d.* to such Persons as the Mayor, &c. of *Great Yarmouth* shall appoint, to be applied towards repairing the Bridge, and the publick Keys belonging to the said Corporation, and for such other Purposes as the said Mayor, &c. shall order: And the farther Sum of 3 *d.* or so much thereof, as shall be thought by the twelve Commissioners to be appointed as herein after is directed, or any seven of them, to be necessary, shall be raised by the Mayor, &c. of *Great Yarmouth*, and shall in the first Place be applied towards the effectual clearing and depthning the Chanel of that Part of the River *Yare*, leading from *Yarmouth* to *Norwich*, called *Braydon*, as any seven of the said Commissioners shall direct at their Meeting at *Great Yarmouth*; and the Overplus of the last mentioned 3 *d.* shall be yearly laid out as the said Commissioners shall direct.

XL. Sect. 2. The last mentioned 3 *d.* shall not be raised, but when Notice in Writing, signed by seven of the Commissioners, shall be given to the Mayor of *Great Yarmouth*, That it is necessary to raise the said Sum, or some and what Part thereof, and for what Purposes; and then such Sum shall be raised accordingly. Provided, that the Justices for the County of *Norfolk*, at their Quarter-Sessions, yearly, out of the Monies payable for the River *Bure*, may allot such Part thereof as they shall think convenient, for the clearing and depthning that Branch of the said River, which leads from *St. Bennet's Abbey* to *Delham* in *Norfolk*.

XLI. Sect. 3. The Mayor, &c. in Common Council assembled, may nominate such Persons to be Collectors or Receivers of every such Sum as shall be ordered to be paid, as they shall think fit. All which Sums the Collectors shall pay into the Hands of the Chamberlains of the said Borough, or of such other Persons as the Mayor, &c. shall appoint.

XLII. Sect. 4. There shall be twelve Commissioners nominated to have the Inspection, and to take Account of the Receipts and Disbursements, (the said 3 *d.* directed to be yearly divided to the Counties of *Norfolk*, *Suffolk*, City of *Norwich*, and *Great Yarmouth*, only excepted) three of which Commissioners shall be yearly nominated by the Mayor, &c. of *Great Yarmouth*; other three by the Mayor, &c. of *Norwich*;

wich, other three by the Justices for *Norfolk*, and other three by the Justices for *Suffolk*, at their respective Quarter-Sessions to be holden for the said Counties: Which Commissioners, or any Number of them, five being of the Counties of *Norfolk*, *Suffolk*, and City of *Norwich*, may call before them the Collectors, or others, who shall be entrusted with the Receipt of the Monies, (such as are to be entrusted with the Disposal of the said 3 *d.* before directed to be paid to the Counties of *Norfolk*, &c. only excepted) who are required to render to the said Commissioners a true Account thereof, and of all Sums which shall rest due on such Account: And the Commissioners shall order all the Monies so resting due, to be laid out for the Uses aforesaid as they shall see Cause: And the Mayor or Deputy-Mayor of *Great Yarmouth* is enabled to administer an Oath to every such Collector, as shall be nominated as aforesaid, for the faithful executing his Office in the Premises according to the true Meaning of this Act: And the Collectors or Receivers shall be allowed for their Pains out of the Monies by them received, so much as the said Mayor, &c. shall think fit, not exceeding 6 *d.* in the Pound.

XLIII. *Seff.* 5. The Collectors may, at all seasonable Times, enter into any Ship in the said Haven or Road, to see what Goods shall be in the same; and if the Monies hereby appointed to be paid, shall not be paid by the Master, the Collectors may, by Warrant of the said Mayor or Deputy-Mayor, distrain the Ship, its Tackle, &c. and detain the same till paid; and in Case of Neglect of Payment for 10 Days after Distress, they may sell the same, and therewith satisfy themselves, as well for the Duty so neglected to be paid, as for their reasonable Charges in taking or keeping such Distress, rendering the Overplus to the Master.

XLIV. *Seff.* 6. Such Fish, Oil, and Fish Livers as shall be obtained in any Fishing Voyage, and such Remainder of Salt, Bread, Beer, and other Provisions, as shall be taken into any Ship for accomplishing any Fishing Voyage, and not spent therein, shall be exempted from Payment of the Duty.

XLV. *Seff.* 7. The Commissioners for *Norfolk* and *Suffolk*, shall yearly be nominated at the Quarter-Sessions to be holden for the said Counties respectively, next after the Feast of the *Epiphany*; and they, and the Commissioners for *Norwich*, shall, before 20 *May* next following after their Nomination, (14 Days Notice at least being first given to the Mayor or Deputy-Mayor of *Great Yarmouth*, in Writing, from any two of the Commissioners to be nominated by the said Counties and City) yearly meet at *Great Yarmouth*, and put in Execution the Powers hereby given them: And if five or more of them shall not so meet, &c. then, in that and every

succeeding Year in which they shall fail so to meet, the Mayor, &c. of *Great Yarmouth*, shall execute, or direct the putting in Execution, the Powers hereby given to the said Commissioners, and all the other Powers of this Act.

XLVI. *Seçt.* 8. The Commissioners for *Norfolk* and *Suffolk*, in the Year 1723, shall be nominated in the Quarter-Sessions holden for the said Counties in the Week next after the Close of *Easter*; and they, and the Commissioners for *Norwich*, shall, as soon as conveniently they can after such their Nomination, (14 Days Notice being given to the Mayor, or Deputy-Mayor of *Great Yarmouth*, as aforesaid) meet at *Great Yarmouth*, and put in Execution such Powers as are hereby given them.

XLVII. *Seçt.* 9. The Mayor, &c. of *Great Yarmouth*, in Common Council assembled, may, as often as they think fit, put in or displace any Collector, Overseer, Workman, or Labourer, employed in any Work or Employment in or about the said Haven, Piers, Jettees, or Chanel of *Braydon*, and direct the Payment of the Monies arising by this Act, for Materials, Workmens Wages, &c. as Occasion shall require; and also inspect and take Accounts of the Collectors Receipts and Disbursements; and call before them the Collectors, and others, who shall be entrusted with the Collection or any Employment of the Monies to be received by this Act; who are to render to them, or such as they shall direct to inspect or take such Accounts, a true Account thereof; and if any of them shall be found in Arrear, or refuse to account, the Mayor or Deputy-Mayor of the said Borough, may, by Warrant, levy by Distress and Sale of the Persons Goods, such Monies as they shall be charged with, rendring the Overplus; and for Want of such Distress commit such Persons to the Common Gaol of *Great Yarmouth* till they account and pay, &c. And the said Mayor, Alderman, Burgeses, and Commonalty, shall make good such Monies as shall be collected and paid to any Collector by them nominated.

XLVIII. *Seçt.* 10. The Commissioners by this Act, at their first Meeting in *Great Yarmouth*, shall execute all the Powers relating to the Money raised by Virtue of the former Act pass'd in 10 & 11 W. 3. (c. 5.) which were not laid out on the Haven and Piers at the Time of the Expiration of that Act, but have been since applied thereto; and also relating to the Persons imploy'd thereabout, as the Commissioners appointed by that Act might have done; and shall also allow out of the Monies to be raised by Virtue of this Act, all such Sums as have already been, and hereafter shall be advanced by the Corporation of *Great Yarmouth* for the said
Uses,

Uses, and also all such Monies as shall be by them disbursed for the obtaining of this Act.

XLIX. *Seff.* 11. Such Commissioners as are herein directed to be nominated by the Mayor, &c. may, at any Meeting, jointly act in executing all the Powers hereby given to the Commissioners by this Act appointed, if they the said Commissioners for the Borough shall think fit.

L. *Seff.* 12. On the Exportation of all Coals and other Goods, which have paid the Sums hereby charged on the Importation thereof, the Collector (due Proof in Writing on Oath being first made before him of the Payment of the Duties, which Oath he may administer) shall repay the Exporter of such Coals, &c. the Money paid on the Importation of the same.

LI. *Seff.* 13. The Mayor or Deputy-Mayor of *Great Yarmouth* may yearly appoint so many Watchers or Clappermen, to watch on the Keys of the said Town nightly from 1 *Nov.* to 1 *March*, during this Act, in such Manner, as they shall think proper.

LII. *Seff.* 14. There shall be paid by the Master of any Ship which shall lie in the Haven of the said Town, from the South-End of the *Ballast-Key* upwards, the Space of one Month, between 1 *Nov.* and 1 *March*, during this Act, any Sum not exceeding one Halfpenny *per Tun*, of the full Burthen of such Ship, as the Mayor or Deputy-Mayor, shall, for the Charges of such Watching, yearly appoint.

LIII. *Seff.* 15. Every Master, &c. of any Ship which shall winter in the said Haven, who shall suffer any Fire or lighted Candle to be in any Ship lying from the South End of the *Ballast-Key* upwards, on any Pretence whatsoever, (such Ships, which shall have Officers boarded on them by Direction of the superior Officers of the Customs or Excise, belonging to the said Town, only excepted) shall forfeit, for every such Fire or lighted Candle, 10s. One half to the Person informing on Oath before the Mayor, the other to be paid to the Chamberlains, for the Use of the Corporation. And the Watchers and Clappermen may go on board any Ship, to remove or extinguish any lighted Candle or Fire.

LIV. *Seff.* 16. If the Money appointed to be paid for Watching, or any Penalties, shall not be paid by the Masters of Ships lying in the said Haven as aforesaid, the Mayor, &c. may levy the same in like Manner, as the other Duties and Penalties to be raised by this Act, are before directed.

LV. *Seff.* 17. The Mayor, &c. of *Norwich*, in Common Council assembled, may, by Indenture under their Common Seal, assign and convey the Sum of three Halfpence, being their Proportion of the said Tunnage, hereby payable to the Chamberlain of the said City, as a Security for the Repayment

ment of such Money, as shall be borrowed by them for the Purposes of this Act, to any Persons that will advance the same on such Security.

LVI. *Seff.* 18. The Justices of *Norfolk*, at their Quarter-Sessions, may, by an Order then to be made, assign the Sum of one Halfpenny, being their Proportion of the said Tunnage by this Act made payable, as a Security for the Repayment of such Money as they shall borrow for the Purposes aforesaid, to any Persons that will advance the same on such Security.

LVII. *Seff.* 19. This shall be deemed a publick Act, and be judicially taken Notice of as such, by all Judges, Justices, and other Persons whatsoever, without special pleading the same.

LVIII. *Stat.* 9 G. c. 30. *Seff.* 1. The Acts 11 & 12 W. 3. c. 5. and 2 A. c. 7. For Repair of *Dover Harbour*, and every Clause therein not hereby altered, shall continue in Force from 1 May 1723, till 1 May 1744, for the Purposes of the said Acts, and of this Act.

LIX. *Seff.* 2. The Duty of 3 d. per Tun granted by the said Act of 11 & 12 W. 3. upon all Vessels therein described, shall, after 1 May 1723, be collected in such Manner, and by such Officers, as by the said Act is directed; and shall be appropriated and divided for the Benefit of the Harbours of *Dover* and *Rye* in Manner following, viz. One third thereof shall be paid to the Treasurer for *Dover Harbour*, to be applied to the Purposes in the said Acts directed; and the other two Thirds to the Treasurer for the Harbour of *Rye*, to be applied as in this Act is after directed.

LX. *Seff.* 3. The Commissioners and Trustees for repairing and restoring the Harbour of *Rye* to its antient Goodness, shall be forty-three, of which the Warden of the Cinque Ports for the Time being to be one: Of the Town and Port of *Rye* six, viz. The Mayor of *Rye* for the Time being, *Henry Lord Aylmer*, *Thomas Grebell*, *Ralph Norton*, *Joseph Tucker*, and *John Dixon*, Gent. Of the Proprietors and Owners of Lands lying in the Upper Levels, in the Counties of *Kent* and *Sussex*, twelve, viz. *Sackville Tuston Esq*; *Sir Thomas Piers Bart.* *Phillips Gybbon*, *Thomas Frewin of Brickwall*, *Felix Kadwell*, *John Kadwell*, *John Gybbon*, *John Holman*, *Reginald Mantle*, *Jeremiah Curtis*, Esqrs, *Thomas Willmott*, and *Josiah Pattenson*, Gent. Of the Owners and Proprietors of Lands lying in *Wittersham-Level*, in the said Counties, twelve, viz. *John Fane Esq*; *Sir William Twysden Bart.* *Sir John Norris Knt.* *John Austen Esq*; *Oliver North*, Clerk, *John Hall*, *James Reader*, *Joseph Huson*, *Odiarne Hooper*, *William Stone*, *William Waters*, and *John Webb*, Gent. Of the Owners and Proprietors of

Lands lying in the *Five Waterings*, and *Walland Marsh*, twelve, viz. Sir *Edward Knatchbull*, Sir *Robert Turnese*, Sir *William Honeywood*, Sir *Barnham Rider*, Sir *William Hardress*, *David Papillon*, *William Rider*, *Robert Mascall*, *Thomas Willis*, *William Finch*, *Thomas Hodges*, and *Richard Harvey Esqrs*, who are hereby constituted Commissioners and Trustees; and any eleven or more of them may direct all Matters and Things, and cause the same to be done, that shall be necessary for repairing the said Harbour of *Rye*, and restoring it to its ancient Goodness,

LXI. *Seet. 4.* Their first Meeting shall be on 18 June 1723, at *Rye in Sussex*; and they may meet from Time to Time, as they shall think proper, for carrying on and effecting the Purposes of this Act.

LXII. *Seet. 5.* They, or their Agents and Officers by their Order, may remove any Bridge, Sluce, or other Obstruction, necessary to be taken away for the Benefit of the said Harbour, or for the better attaining the Purposes of this Act, making other convenient Passages instead of such Bridges.

LXIII. *Seet. 6.* They may contract and agree with any Workmen, Artificers, or other Persons, for making and doing all or any Part of the Work to be done about the repairing, improving, and keeping in Repair the Harbour of *Rye*, and also with any Persons for Timber, Stones, or other Materials necessary to be used about the said Work.

LXIV. *Seet. 7.* All Bodies Politick or Corporate, Feoffees in Trust, Executors, Administrators, Guardians, or Trustees whatsoever, for Infants, Females Covert, or other *Cestui que trusts*, and for all other Persons, possessed of, or interested in any Lands, Tenements, or Hereditaments, may treat and agree with the Commissioners and Trustees, at their publick Meetings, for the Sale of, and sell and convey to them for such valuable Consideration as shall be agreed on, such Lands, &c. as by them shall be deemed necessary for the said Purposes; and all such Contracts, Sales, &c. shall be good in Law.

LXV. *Seet. 8.* All Feoffees in Trust, Executors, &c. are indemnified for what they shall do by Virtue of this Act; and if any Persons shall decline or refuse to treat and agree for the Sale of any Lands, &c. then any eleven or more of the Commissioners are empower'd to issue their Warrant under their Hands and Seals to the Sheriff of the County where such Lands, &c. shall lie, for the impanelling and returning (and the said Sheriff is required to impanel and return accordingly) a Jury of 24 sufficient Men of the Body of the County, qualified according to Law, to appear before the Commissioners at the Time and Place appointed by such Warrant,

Warrant, and to return Issues of 40 s. on every Person so impanelled; and for Default of a sufficient Number appearing, the Sheriff shall return other indifferent Men of the Standers-by, to make up the Jury to the Number of twelve; and all Parties concerned may have their lawful Challenges to any of the Jurymen; and the Commissioners are empower'd to order the Jury to view the Lands, &c. in question: Which Jury, upon their Oaths, (which Oaths, as also Oaths to Witnesses, the Commissioners are empower'd to administer) shall enquire into the Value of such Lands, &c. and the respective Estates therein, and assess such Damages and Recompence as they shall think fit, to be awarded to the Owners or Occupiers of such Lands, &c. as shall be used for, or damaged by repairing the said Harbour, or for Loss or Damage they may sustain thereby; and the Commissioners shall give Judgment for the Sums to be assessed by the Jury: Which Verdict, and the Judgment thereupon pronounced by the Commissioners, and the Value and Recompence so to be assessed, (Notice in Writing being first given of their Meeting, at least 20 Days before) shall be binding against all Parties, their Heirs, &c. Which Orders, Sentences, and Decrees, shall be set down in Writing under the Hands and Seals of the Commissioners who shall make the same, and be kept among the Records of the Sessions of the Peace for the Counties of *Sussex* and *Kent* respectively, and the same, or true Copies thereof, shall be deemed good Evidence in any Court of Law or Equity; and upon Payment of any Sum so assessed to the Party concerned, or Tender thereof made at his Dwelling-House; or if he have none, then at the House of some Tenant of Lands, &c. of such Party near the Harbour of *Rye*, and if on such Tender they refuse to receive the same; then on Payment of such Sums to such Persons as the Commissioners shall appoint to receive the same, for the Use of the Parties interested; then, and not before, the Commissioners, their Agents, and Workmen, may remove, dig, cut, or use so much of the Lands, &c. for which such Satisfaction shall be assessed, and thereon make, erect, or do any Works, Matters and Things, for effecting the Purposes of this Act in Relation to the Harbour of *Rye*, as any eleven of them shall think requisite; and this Act shall indemnify as well the Commissioners as all Persons to be employed by them, against the said Owners, &c.

LXVI. *Señ. 9.* If any Lands, &c. shall be purchased by the Commissioners, which at the Time of such Purchase shall belong to any Body Politick or Corporate, or to any Trustee for any Infant, Feme Covert, or other *Cestuy que trust*, or to an Infant, or other Person, not having Power to dispose of the whole Estate in such Lands, &c. without the Aid

of this Act; in such Case, every such Body Politick, &c. shall lay out the Purchase Money in purchasing other Lands, &c. and shall cause the same to be settled to the same Uses, Trusts, &c. to which the purchased Lands, &c. did before stand limited: And till such new Purchases shall be made, such Bodies Politick, Trustees, &c. may place such Money out at Interest on Parliamentary Funds, or other good Securities, and the Interest shall be paid and disposed of in such Manner, and to such Persons, as the Profits of the Lands, &c. ought to have been paid before such Purchase made.

LXVII. *Seç.* 10. Any twenty-three of the Commissioners may by Indenture under their Hands and Seals, convey the Duties, or any Part thereof, as a Security for Monies to be borrowed for the Purposes aforesaid, to any Persons that will lend the same, for securing Repayment, with Interest at 5 *l.* per Cent.

LXVIII. *Seç.* 11. All the Monies raised or borrow'd by Virtue of this Act, shall be applied for the Purposes aforesaid, and to no other Use: And the Commissioners shall keep Books, in which all the Monies received or borrowed on the Credit of this Act, and all Disbursements by them or their Orders, and the respective Time of such Receipts and Disbursements, shall be fairly entered; and all Persons concerned shall have free Access thereto *gratis*.

LXIX. *Seç.* 12. The Commissioners for the Port of Rye, or any four of them, may appoint proper Persons to be Receivers and Treasurers for the Duties, to whom they shall be paid accordingly, and may allow them so much as they shall think fit, not exceeding 6 *d.* in the Pound.

LXX. *Seç.* 13. The said Commissioners, or any four of them, shall take of such Receivers and Treasurers sufficient Security, as well for answering and paying all Sums of Money by them received, in such Manner as the Commissioners, or any eleven of them, shall order, and not otherwise; as also for their giving true Accounts in Writing, as often as they shall be required so to do by the Commissioners, or any eleven of them, of all the Monies received by Virtue of this Act, and of the Times of such Receipts, and of all Monies by them disbursed, and of the Times of such Disbursements, and to whom, and by what Order. The Commissioners, or eleven of them, are required to meet at least once in every Year, at Rye, between 1 *June* and the last Day of *August*, or oftner if they think fit, and call before them the Receivers, &c. and then and there audit and state their Accounts; and shall state and draw up in Writing true Accounts of all the Monies by Virtue of this Act received and disbursed, and not then accounted for, and applied to the Uses before directed: And any Person interested may be present at the taking

taking such Accounts, or at any other Times, to inspect the same; and the Commissioners shall, upon Request, permit them so to do.

LXXI. *Seç.* 14. Every of the said Accounts shall, at the next Quarter-Sessions for the County of *Sussex*, be laid by the Commissioners, or Persons appointed by them, before the Justices of Peace, who are empower'd to summon before them, and examine upon Oath, all such Persons as they shall think fit; and if upon such Examination, or on Default of such Persons Appearance, the said Justices shall find such Persons guilty of any Concealment, Imbezilment, or Misapplication of any Money received by Virtue of this Act, they are empowered to impose on the Persons found guilty, any Fine not exceeding double the Sum so concealed, &c. and such Fines shall be levied by Distress and Sale of the Offenders Goods, by Warrant from three of the Justices, to be directed to the Constable of the Parish where such Offender shall live, rendering to him the Overplus; and in Default of Distress and Payment, the Offender shall be committed to the Common Gaol of the County where he shall live or be found, by Warrant of any Justice, there to remain without Bail or Mainprize till Payment: Which Fines, when levied, shall be paid to such Persons as the Commissioners, or eleven of them, shall direct, and be applied towards repairing the Harbour of *Rye*: And all Accounts examined and allowed by the Justices in open Sessions, shall after Allowance thereof, under the Hands of five or more of them, be transmitted by the Clerk of the Peace to the Commissioners of his Majesty's Navy, to remain in their Office as Records, to which all Persons may have Access without Fee.

LXXII. *Seç.* 15. If the Receivers or Treasurers shall refuse, neglect, or omit to lay before the said Justices in their open Sessions, when thereto required, by the Space of 14 Days before the Commencement of such Sessions, by Writing under the Hands and Seals of three or more of the said Justices, all and every, or any of the Accounts, or Books of Account, so to be stated and kept by them; in every such Case, the said Justices in open Sessions may impose a Fine not exceeding 100 *l.* for every such Neglect, Refusal, or Omission, on every of the said Receivers or Treasurers, which they shall find offending in the Premises; to be recover'd by Action of Debt, &c. One Moiety to be to the Use of the Prosecutor, and the other to be paid to such Persons as the Commissioners, or eleven of them, shall appoint; to be applied towards repairing the Harbour of *Rye*.

LXXIII. *Seç.* 16. After 29 Sept. 1723, no Person shall throw or empty any Ballast, Dust, Ashes, Earth, Rubbish, or Stones, into the said Harbour, or do any other Act to

prejudice or annoy the same; and the Matter of such Prejudice or Annoyance shall be enquired into by the Commissioners, or any eleven of them, who may, for every such Offence impose on the Offender a Fine not exceeding 40*l.* which any three of them, by Warrant under their Hands and Seals, directed to the Receivers or Treasurers, may levy by Distress and Sale of the Offenders Goods, rendring the Overplus; and the Fine shall be paid to such Persons as the Commissioners, or eleven of them, shall direct, and be applied for repairing the Harbour.

LXXIV. *Señ.* 17. If any of the Commissioners for the said Port shall die or refuse to act; or for the respective Levels, shall die, refuse to act, or alienate the Lands they are possessed of in the said Levels, the surviving Commissioners for the said Port, or for such particular Levels, as shall act in the Trusts hereby reposed in them, or shall keep their respective Property therein, or the major Part of them respectively, shall, by Instrument under their Hands and Seals, appoint others in their Room; and every such new Commissioner shall have Power to act and do in all Things relating to the Premises, in as ample Manner as any of the Commissioners aforesaid; and every such Nomination, and Instrument for appointing a new Commissioner, shall be recorded by the Clerk of the Peace for the County of *Suffex*, paying only 1*s.* for recording the same.

LXXV. *Señ.* 18. No Commissioner for putting this Act in Execution, relating to the Harbour of *Rye*, shall be capable of having any Office of Profit, arising by the Duties; and all Meetings of the Commissioners shall be at their own Expence.

LXXVI. *Señ.* 19. If the Harbour of *Dover* shall be sufficiently repaired and secured, and that of *Rye* effectually restored to its antient Goodness, and secured according to the Intent of this Act; and the same be so certified to the King in Council, by the Justices in Quarter-Sessions for the Counties of *Kent* and *Suffex*, then the Duties granted or continued by this Act, shall respectively cease.

LXXVII. *Señ.* 20. The Commissioners at their general Meeting to be held at *Rye* on 18 *June* 1723, shall view the Lands on which it is proposed to carry on the Works for repairing the said Harbour; and if they shall not, upon due Enquiry and Deliberation, be unanimously of Opinion, that the Works may be carried on, without Damage to the said Lands, or to those adjoining, then the said Works shall not be undertaken or carried on.

LXXVIII. *Señ.* 21. If any Suit be brought against any Person for any Thing done in Pursuance of this Act, in Relation to the Premises, it shall be commenced within six Months

Months after the Fact committed, and not afterwards; and shall be laid in the County of *Kent* or *Sussex*, where the Fact shall be done; and the Defendant may plead the General Issue, &c. and on Judgment shall have treble Costs.

LXXIX. Stat. 10 G. c. 7. Sect. 1. The Powers given by the Act 9 G. c. 30, to the Commissioners and Trustees therein named, for repairing and restoring to its antient Goodness the Town and Port of *Rye*, are hereby transferred to, and vested in the Warden of the Cinque Ports for the Time being, the Mayor and Jurats of *Rye* for the Time being, the Right Honourable *Henry Lord Aylmer*, and *Spencer Compton* Esq; the honourable *John Fane*, *John Finch*, Son of *Heneage* late Earl of *Winchelsea*, *Thomas Townshend*, *Henry Pelham*, and *Saskville Tufton* Esqrs, *Sir Edward Knatchbull*, and *Sir William Ashburnham* Barts. *Sir John Norris*, and *Sir Barnham Rider* Knts, *Thomas Frewen* of *Brickwall*, *Robert Bristow*, *Phillips Gybbon*, *John Carryl*, *Samuel Gott*, *John Offley*, *Richard Harcourt*, *John Baker*, *William Peckham* of *High-Ridge*, *Thomas Medley* Jun. and *John Austen* Esqrs; the Mayor of *Faversham* for the Time being, *Henry Matthew*, *Joseph Tucker*, *John Tilden*, *Thankfull Bishop*, and *John Thompson* Gent. And it shall be lawful for them, and their Successors, or any eleven or more of them, to erect, order, and cause to be done, all Matters and Things which they shall judge necessary for opening or making any new Cut or Chanel from *Winchelsea* Water to the Sea, and doing all other Works necessary for effecting the Purposes of this Act.

LXXX. Sect. 2. The two Thirds of the Duty granted or continued by the said Act of 9 G. for restoring the Harbour of *Rye*, shall be applied to the Uses of this Act, and paid to the Receivers for the Harbour of *Rye*, to be appointed by the Mayor and Jurats of the Town and Port of *Rye*, or any seven or more of them at an Assembly publicly held for that Purpose.

LXXXI. Sect. 3. The first meeting of the Commissioners shall be on 12 May 1724, at *Rye*; and they and their Successors, or any eleven or more of them, may meet from Time to Time as they shall think proper for carrying on the Purposes of this Act, instead of the Purposes of the former Act, relating to the Harbour of *Rye*: To which End, all the Powers, Articles, Rules and Clauses, contained in the said Act, not hereby alter'd, shall be of full Force, as if the same were particularly repeated in this Act; and all Clauses in the said Act, contrary to, or inconsistent with the Purposes of this Act, are hereby repealed.

LXXXII. Sect. 4. The Commissioners, &c. may build or cause to be built, set up, and made, such and so many
K 4 Bridges,

Bridges, Sluces, Locks, Wears, Pens for Water, Stanks, Dams, and other Works, as they shall think fit; and alter and repair the same, and make necessary Ways, Passages, and other Conveniences, for effecting the Navigation intended by this Act; and may lay Materials for that Purpose on the Ground near the Places where the said Works shall be made; and may turn or alter any Highways, Brooks, Streams, or Watercourses, which may hinder the Navigation hereby intended; and may do all other Works for making and maintaining the new Cut or Chanel intended by this Act, or for the Preservation or Improvement of the Harbour of *Rye*; they first giving reasonable Satisfaction to the Owners of such Lands, Tenements, Tithes, or Hereditaments, for what Prejudice or Damage they may suffer thereby; such Satisfaction (if the Parties cannot agree) to be determined by a Jury, to be impanelled, &c. as in the former Act is directed, and under the Penalties therein mentioned.

LXXXIII. *Seç. 5.* All Damages which shall happen by any Overflowings of the New River intended to be made pursuant to this Act, or by executing any of the Powers thereof, shall be satisfied out of the Duties; and on Complaint made to any eleven or more of the Commissioners, of any Damage occasioned by any thing done pursuant to this Act, the Commissioners to whom such Complaint shall be made, (if the Parties cannot agree) shall cause a Jury to be impanelled, &c. as in the Act 9 G. is directed, which Jury shall assess the Damages; and if such Damages be not paid within three Months after such Assessment, the Party grieved may have his Action of Debt for Recovery thereof in any Court at *Westminster*, against the Receivers for the Harbour of *Rye*, and shall recover such Damages with full Costs of Suit, and shall be paid the same out of the Monies of the Duties: Provided, Such Action be brought within Six Months after the Verdict of the Jury, and be prosecuted without wilful Delay.

LXXXIV. *Seç. 6.* The Walls of the Chanel from the new-intended Cut to the Town of *Winchelsea*, and so far above that Town, as the Commissioners of Sewers, or such Number of them, as have Power to make Orders for the Marsh-Lands which discharge their Waters into that Chanel, shall judge necessary for preventing the Salt-Water from overflowing those Lands; and also the Walls against the new-intended Cut, and the Chanel-Walls from that Cut to the Harbour of *Rye*, erected for keeping out of the Sea, shall (out of the Monies granted for repairing and restoring the said Harbour) be repaired and heighten'd to such Height, Width, and Strength, as the Commissioners of Sewers shall judge necessary for the better Preservation and Security of the said

said Lands; and the Walls against the new-intended Cut, and the Chancel-Walls from that Cut to the present Harbour of Rye, and also the Chancel-Walls for fourscore Rods from the said Cut towards the Town of *Winchelsea*, shall be kept up and repaired out of the Money granted for the said Harbour, and from the said fourscore Rods the Commissioners of Sewers shall repair and maintain the said Walls.

LXXXV. *Seff.* 7. If the Commissioners of Sewers for the said Levels shall judge it unsafe for the adjoining Lands to let the Sea have its free Course of Flux and Reflux from the new Cut up the Chancel towards *Winchelsea*, and shall give Notice of such their Judgment in Writing under their Hands and Seals, to the Receiver of the Harbour of Rye, on or before 25 *March* 1725, the Commissioners for repairing the said Harbour (instead of heightening the Walls of the Chancel, where the Sea and Tides shall not be permitted to have such free Course) shall (out of the Money granted for the Harbour) make and lay a strong, large, open, and navigable Sluce, at such Place between the New Cut and *Winchelsea*, for discharging the fresh Waters out of the Chancel into the New Cut, and for preventing the Salt Waters from flowing into the Chancel, as the Commissioners of Sewers shall judge necessary for that Purpose: The Working, Management, and Repairing of which Sluce, and also all other Works within the said Levels, from the fourscore Rods from the New Cut towards *Winchelsea*, shall be always under the Care and Direction, and performed at the Expence of the Commissioners of Sewers and their Officers, as if this and the former Act had never been made.

LXXXVI. *Seff.* 8. The Duties granted for the Harbour of Rye, shall not be liable to make good any Damage which may happen through the Default or Negligence of the Commissioners of Sewers, or their Officers, in the repairing, working, and Management of such Sluce.

LXXXVII. *Seff.* 9. The Sea and Tides shall not, on any Pretence, be let into the New Cut, till all the before mention'd Works for Defence and Security of the said Lands be fully perfected.

LXXXVIII. *Seff.* 10. If at any Time hereafter the Commissioners of Sewers for any of the adjoining Levels, the Proprietors whereof now sew, or have a Right to sew out their Waters at the *Camber Point*, shall judge themselves to be damaged, and the sewing out of their Waters at the *Camber Point* to be obstructed by any Dams or other Works made by Order of the Commissioners appointed by this Act; and shall by their Expenditors give Notice in Writing under their Hands and Seals, of such their Judgment to the Commissioners, or such Number of them as have Power to act, of such
Damage

Damage or Obstruction, and shall require the digging up, or removing any of the said Dams or Works, the Commissioners shall within two Months after such Notice, cause such Dams or Works to be dug up or removed, and defray the Charges thereof out of the Monies in their Hands; and if that be not sufficient, then out of the next Monies arising on Account of the Duties for repairing the Harbour of *Rye*: And if the Commissioners shall neglect or refuse for the Space of two Months, to dig up or remove such Dams or Works, the Expenditors of the respective Levels so giving Notice, may order and employ such Persons as they shall think fit, for the digging up or removing such Dams or Works in such Manner as the Commissioners should have done; and the Commissioners are required to pay all the Expences of the said Work, in such Manner, and out of such Monies as they should have done, had themselves employed the Persons for the doing thereof: And the Expenditors Receipts shall be a sufficient Discharge in Law to the Commissioners for so much of the Duties as shall be paid by them to the Expenditors, on Account of the Work so to be done.

LXXXIX. *Señ. 11.* The Proprietors and Occupiers of the several Levels, when they are obstructed in sewing out their Waters at the *Camber Point*, may sew out the same into the Sea, united or otherwise, through the antient Harbour of *Rye*, or the *Winchelsea* Chanel, or through any Cut or Chanel, which shall be made in Pursuance of this Act, in such Manner as to them shall seem most useful and convenient, without any Let, Stoppage, or Molestation from the Commissioners, or any Persons acting by their Order, and without being liable to any Payment or Demand to any Person whatsoever.

XC. *Señ. 12.* The Proprietors and Occupiers of *Guldeford* Level, and *Sir Robert Guldeford's* Marsh-Lands, or any Part thereof, (when they are obstructed and render'd incapable of sewing out their Waters at the *Camber Point*, and the Chanel which conveys the Waters from *Craven-Sluice*, *White-Kemp*, and the *Five Waterings*, through the *Camber Point*, shall be so fallen off, that the present Sewing Guts cannot issue their Waters into the said Chanel) may make such new Cuts or Dams through the Slub left between their present Sewing Guts, and the Chanel so fallen off, as may be necessary to carry the Waters into the Chanel. Provided always, That nothing herein shall enable the said Proprietors and Occupiers to erect or make any Walls, Banks, Dams, or Stops, contrary to the Act 7 G. c. 9. For the better Preservation of the Harbour of *Rye*, except only such Works and Dams as shall be absolutely necessary for sewing the said Waters only.

XCI. *Señ. 13.* In Case of any Commissioner's Death, or refusing to act, the surviving Commissioners, or any eleven or more of them, may by Writing under their Hands and Seals, appoint others in their Room; and every such new Commissioners so nominated, shall have full Power to act in all Things relating to the Premises, in as ample Manner as any of the Commissioners aforesaid: And every such Nomination and Instrument shall be recorded by the Clerk of the Peace of the County of *Sussex*, paying only 1 s. for recording the same.

XCII. *Señ. 14.* If any Action be brought against any Person for any Thing done in Pursuance of this Act, it shall be commenced within Six Months after the Fact committed, and shall be laid in the County of *Sussex*; and the Defendant may plead the general Issue, and give this Act and the special Matter in Evidence, &c. and if the Jury find for the Defendant, or the Plaintiff become nonsuited, &c. the Defendant shall recover treble Costs.

XCIII. *Señ. 15.* This shall be deemed a publick Act, and be judicially taken Notice of as such, by all Judges, Justices, and other Persons whatsoever, without special Pleading the same.

Highways.

I. Stat. 6 G. c. 6. For preventing the great Decay of the Roads within ten Miles of *London* and *Westminster*, occasion'd by the very great Loads of Meal, Malt, Brick, and Coals, brought and carried to and from the said Cities; Enacted,

Señ. 1. That after 25 March 1720, no Person shall carry, at one Load, in *London* or *Westminster*, or within ten Miles thereof, in Waggon or Carts having their Wheels shod or bound with Tire or Streaks of Iron, more than twelve Sacks of Meal, each Sack containing five Bushels, and no more, nor more than twelve Quarters of Malt, nor more than seven Hundred and a Half of Bricks, nor more than one Chalder of Coals. And any Person offending herein, shall forfeit and lose any one of the Horses, together with the Gears, Bridles, and Halters therewith used, to any Person that shall seize or distrain the same, in such Manner, and to such Uses, as the Penalties and Forfeitures are directed to be levied and applied by Stat. 5 G. c. 12. Vide Vol. 5. Tit. Highways, Par. XVIII.

II. Stat. 6 G. c. 20. *Señ. 1.* Enacted, That from and after 4 Nov. 1722, the several Tolls or Duties, by the Act 15 Car. 2. c. 1, For repairing the Highways within the Counties of Hertford,

Hertford, Cambridge, and Huntingdon, to be taken at *Wadesmill* for the County of Hertford, shall be continued and taken in such Manner, as by the said Act 15 Car. 2. c. 1, or by 16 & 17 Car. 2. c. 10. 4 & 5 W. & M. c. 9, and by 5 A. Sess. 2. c. 11, is directed and prescribed, for the Space of 15 Years, from 4 Nov. 1722. And the Monies arising by the Toll, shall (after discharging all reasonable Charges expended about the passing of this Act) be apply'd for repairing the said Highways in the County of Hertford.

III. *Sect. 2. Proviso*, That if the said Highways, before the Expiration of the said fifteen Years, be in good and sufficient Repair; and an Adjudication thereof be made at the Assizes or General Quarter-Sessions for the said County, as is provided by the said Act 16 & 17 Car. 2. c. 10, the said Toll shall from thenceforth cease and determine.

IV. *Sect. 3.* The several Officers and Persons empower'd by the said Acts, to the Purposes therein mentioned, so far as may any Ways concern or relate to the said County of Hertford, shall, after 4 Nov. 1722, have the like Powers and Authorities by Virtue of this Act, as they had by Virtue of the former Acts. And all Clauses, Provisions, Penalties, Exceptions, &c. therein mentioned, concerning the collecting, paying, engaging, or accounting for the said Toll at *Wadesmill*, shall be continued during this Act, as if they were herein particularly expressed.

V. *Stat. 6 G. c. 25.* An Act for repairing the Roads from *Stevenage* in the County of Hertford, to *Biggleswade* in the County of Bedford. *This Act is to continue for 21 Years from 24 June 1720. See the Statute at large.*

VI. *Stat. c. 26.* An Act for enlarging the Term granted by an Act in the fourth Year of his Majesty's Reign, intituled, *An Act for repairing the Highways leading from the Stones-End in Kent-Street to the Lime-Kilns in East-Greenwich near Black-Heath, and to Lewisham Church, being the Tunbridge Road in the County of Kent*: And for repairing and amending the Highways and Roads leading from *Westminster-Ferry* in the Parish of *Lambeth* in the County of *Surrey*, to *New-Cross* in the Parish of *Deptford* in the County of *Kent*: And for enlarging the Term granted by an Act passed in the fourth Year of his Majesty's Reign, intituled, *An Act for amending the Roads from the City of London to the Town of East-Grinstead in the County of Sussex, and to Sutton and Kingston in the County of Surrey*: And for explaining and amending the same Act. *By this Act the private Act of 4 G. c. 5, For repairing the Highways leading from the Stones-End in Kent-Street to the Lime-Kilns in East Greenwich, and to Lewisham Church, &c. which*

was

was to continue from 25 March 1718, for 11 Years from the Expiration of the said Term : And the private Act of 4 G. c. 4, For amending the Roads from London to East-Grinstead in Sussex, and to Sutton and Kingston in Surrey, which is to continue for 21 Years from 25 March 1718, is further continued for two Years from thence next ensuing. See the Statute at large. Et vide post. Par. XXIV.

VII. Stat. 7 G. c. 18. An Act for enlarging the Term granted by an Act passed in the 10th Year of the Reign of her late Majesty Queen Anne, intituled, *An Act for repairing the Road from Highgate-Gatehouse in the County of Middlesex, to Barnet Blockhouse in the County of Hertford; and for repairing the Road leading from the Bear-Inn in Hadley, to the Sign of the Angel in Enfield-Chase in the said County of Middlesex.* By this Act the private Act 10 A. c. 33, for repairing the Road from Highgate Gatehouse, to Barnet Blockhouse, &c. which was to continue from 24 June 1712, for thirteen Years, is farther continued for the Term of seventeen Years, from the Expiration thereof, as well for the Purposes in that Act, as for repairing the Road from the Bear-Inn in Hadley to the Angel in Enfield-Chase, &c. See the Act at large.

VIII. Stat. 7 G. c. 19. An Act for continuing an Act made in the 6th Year of her late Majesty Queen Anne, intituled, *An Act for repairing and enlarging the Highways between the Top of Kingdown-Hill and the City of Bath; and also several Highways leading to and through the said City, &c. and for explaining and making the said Act more effectual.* By this Statute, the said Act of 6 A. c. 1, (being a private Act) is continued in Force for 21 Years, to be computed from 1 May 1721, as well for the Purposes therein mentioned, as for repairing and amending the Roads between Lox-Brook and Buckle-Brook in the County of Somerset, and also between Twerton-Church and Twerton-Bridge, in the said County; and the former, and this present Act, are to be deemed publick Acts, &c. See the Act at large. Et vide Tit. Bath.

IX. Stat. 7 G. c. 23. An Act for repairing the several Roads leading from the Town of Ledbury in the County of Hereford to the several Places therein mentioned. The Toll granted by this Act is to take Place, and have Continuance only from 24 June 1722 for 21 Years, and to be employed in repairing the Roads leading from Ledbury in the County of Hereford, to Broomsborough in the County of Gloucester, and to Rye-Meadow in Muckmarcle in the County of Hereford, and to the Broad Field in Aylton, and to Stoakes-Court in Stoke-Edith, and from the Trumpet to Stretton-Gransome, and to Cannon-Froom and Castle-

Castle-Froom, and to the Wich in Colwell, and to Little-Matvern, and also to the End of the Parish of Easter, all lying in the County of Hereford, in the Road leading to Tewksbury in the County of Gloucester. See the Statute at large.

X. Stat. 7 G. c. 24. An Act for repairing the Road from Wendover to the Town of Buckingham in the County of Bucks. The Toll granted by this Act is to take Place, and have Continuance only from 25 March 1722, for the Term of 21 Years. See the Act at large.

XI. Stat. 7 G. c. 26. An Act for repairing the Road from St. Giles's Pound to Kilbourne-Bridge, in the County of Middlesex. The Toll granted by this Act, took Place from 24 June 1721, and is to have Continuance only for 21 Years. See the Statute at large.

XII. Stat. 7 G. c. 32. An Act to explain and amend the Act of the 12th Year of her late Majesty's Reign, intituled, *An Act for repairing the Highway or Road leading from the Stones-End in the Parish of St. Leonard Shoreditch in the County of Middlesex, to the furthestmost Part of the Northern Road in the Parish of Enfield in the same County, next to the Parish of Cheshunt in the County of Hertford.* See the Act at large.

XIII. Stat. 8 G. c. 5. An Act to explain and amend the Act passed in the 3d Year of his Majesty's Reign, for repairing the Highway from several Places therein mentioned, leading towards Highgate Gatehouse and Hampstead in the County of Middlesex. By this Act the Trustees for putting the said Act in Execution, are to order the Road leading from the Nags-Head Corner, on the West or Backside of Islington, and Fig-Lane, and also the Road leading from Clerks-Well in the Parish of St. James's Clerkenwell, to the Turnpike at Battle-Bridge, to be repaired out of the Money arising by the said Act. See the Statute at large.

XIV. Stat. 8 G. c. 9. An Act for continuing an Act passed in the 10th Year of the Reign of her late Majesty, intituled, *An Act for repairing the Highway between a certain Place called Kilburn-Bridge in the County of Middlesex, and Sparrows-Herne in the County of Hertford; and for making the said Act more effectual.* By this Act the private Act of 10 A. c. 7, which is to continue in Force for 21 Years, commencing from 1 May 1712, is continued for the farther Term of 21 Years from thence next ensuing. See the Act at large.

XV. Stat. 8 G. c. 13. An Act for amending the Highways leading from Brampton-Bridge to Church-Brampton in the County

ty of *Northampton*, through the Parish of *Thornby*, to a Bridge called *Welford-Bridge* in the Parish of *Welford* in the said County; and also the great Post-Road from a Place called *Morter-Pit-Hill* in the Parish of *Pisford* in the said County, through the Towns and Parishes of *Brixworth*, *Lampert*, *Maidwell*, *Kelmarsh*, and *Oxenden Magna*, to a Bridge called *Chain-Bridge*, leading into *Market-Harborough* in the County of *Leicester*. The Toll granted by this Act took Place, and is to have Continuance from 25 March 1721, for 21 Years. See the Statute at large.

XVI. Stat. 8 G. c. 30. An Act for repairing the Highways from the *Stones End* at *Whitechapel Church* in the County of *Middlesex*, to *Shenfield*, and to the farthermost Part of the Parish of *Woodford*, leading to the Town of *Epping* in the County of *Essex*. The Toll hereby granted took Place, and is to have Continuance only from 25 March 1722, for 21 Years. See the Statute at large.

XVII. Stat. 9 G. c. 11. An Act for repairing and widening the Road leading from the *Black Bull* in *Dunstable*, in the County of *Bedford*, to the Way turning out of the said Road up to *Shafford-House* in the County of *Hertford*. The Toll granted by this Act, took Place from 1 June 1723, and is to have Continuance for 21 Years. See the Statute at large.

XVIII. Stat. 9 G. c. 13. An Act for the enlarging the Term granted by an Act passed in the 8th Year of the Reign of her late Majesty Queen *Anne*, intituled, *An Act for repairing the Highways between the House commonly called the Horseshoe-House in the Parish of Stoke-Goldington in the County of Bucks, and the Town of Northampton*; and for repairing the Road from the North Bridge of *Newport-Pagnel* in the County of *Bucks*, to the said *Horseshoe-House*. By this Act the Toll granted by the private Act 1 A. c. 2, which commenced from 1 April 1710, and was to have Continuance for 21 Years, is farther continued from 1 May 1723, for the Term of 15 Years, as well for repairing the Road from the North Bridge in *Newport-Pagnel*, to the *Horseshoe-House*, as for the Purposes in the said Act. See the Statute at large.

XIX. Stat. 9 G. c. 38. An Act for repairing the Highways from the City of *Gloucester* to the Top of *Birdlip-Hill*, (being the Road to *London*) and from the Foot of the said Hill to the Top of *Crickley-Hill*, (being the Road to *Oxford*) and to oblige those concerned in the Receipt or Payment of any Monies, by Virtue of an Act of the 9th and 10th Years of his late Majesty King *William*, touching the Repairing the said Highways,

Highways, to account for the same to the Trustees appointed by this Act. The Toll granted by this Act, takes Place from 1 May 1723, and is to continue for 21 Years. See the Statute at large.

XX. Stat. 10 G. c. 6. An Act for enlarging the Term granted by an Act passed in the 3d Year of his Majesty's Reign, intituled, *An Act for repairing the Highways from that Part of Counters-Bridge which lies in the Parish of Kensington, in the County of Middlesex, to the Powder-Mills in the Road to Staines, and to Cranford-Bridge in the said County in the Road to Colnebrook; and for making the said Act more effectual.* By this Act the private Act 3 G. c. 14, which commenced from 1 July 1717, and was to continue in Force for the Term of 11 Years, and also the Tolls thereby granted, are further continued for 17 Years from the Expiration of the said Term, for the Purposes in that Act mentioned; and both the former and this Act are to be deemed publick Acts. See the Statute at large.

XXI. Stat. 10 G. c. 8. An Act for reviving an Act passed in the 10th Year of her late Majesty's Reign, intituled, *An Act to make a Causeway over the Denes from Great Yarmouth to Caister in the County of Norfolk; and for making the said Act more effectual.* By this Act all the Lands, Tenements, and Hereditaments, lying in the several Hundreds of East and West Flegg, and within the Town of Great Yarmouth, are charged with the annual Sum of 3 d. in the Pound Rent, for the Term of Two Years and a Half, to commence from 25 March 1724. See the Statute at large.

XXII. Stat. 10 G. c. 9. An Act for repairing and amending the Highways from the North Part of Harlow-Bush Common, in the Parish of Harlow, to Woodford in the County of Essex. The Toll granted by this Act took Place from 27 Feb. 1723, and is to have Continuance only for 21 Years. See the Statute at large.

XXIII. Stat. 10 G. c. 12. An Act for repairing the Roads leading from Stamp-Cross in the Parish of Chesterford in the County of Essex, to Newmarket-Heath, and the Town of Cambridge, in the County of Cambridge. The Toll granted by this Act takes Place from 1 June 1724, and is to continue for 21 Years. See the Act at large.

XXIV. Stat. 10 G. c. 13. An Act for amending the Roads from the Stones-End in Southwark to Highgate, at the Entrance of Ashdown-Forest in the Parish of East-Grinstead, in the County of Sussex, and from Kingston to Burton-Common, and also the

the Lane leading from *Wood-Hatch* to *Sidlow-Mill*, and the Lanes called *Horse-hills*, *Bonehurst* alias *Boners*, and *Peteridge* Lanes in the County of *Surrey*, by enlarging the Terms granted by two former Acts, one of the 4th, and the other of the 6th Year of his Majesty's Reign. By this Act the Powers, &c. in the private Act 4 G. c. 4, which were to continue for 21 Years from 25 March 1718, which Term was enlarged by 6 G. c. 26, for 2 Years from thence next ensuing, are further continued, after the Expiration of the said Term of 21 Years and 2 Years, for 21 Years from thence next ensuing, for the Purposes in this Act. See the Stat. at large.

XXV. Stat. 10 G. c. 15. An Act for repairing the Road leading from *Dunchurch* in the County of *Warwick*, to the Bottom of *Meriden-Hill* in the same County. The Toll granted by this Act took Place from 25 July 1724, and is to have Continuance for 21 Years.

Hops.

I. Stat. 6 G. c. 11. Sect. 40. The Duty on Hops of British Growth, or any Part thereof, shall not be repaid or drawn back for any such Hops exported, or shipt to be exported for *Ireland*, after 1 June 1720: And no Debenture or Certificate shall be granted or made forth, in Order to the Repayment or Drawing back of the same Duty upon any such Hops so exported for *Ireland*: But such Drawbacks shall from thence forth cease and determine.

II. Stat. 6 G. c. 21. Sect. 25. After 1 Aug. 1720, the Planters or Owners of Hops to grow in *Great Britain*, before they begin to bag or weigh their Hops, shall give or send Notice in Writing under their Hands to the next Office of Excise, or to the proper Officer for the Duty, of the particular Day, and precise Hour of such Day, as well of their Beginning to bag, as also of their Beginning to weigh their Hops: Which Notice, as to such Hops as shall be bagged or weighed in the first Week of the Planters or Owners Bagging or Weighing, shall be given at least 24 Hours before the Times when such Bagging, &c. shall begin; and as to every other Bagging at least 48 Hours before it begins; and if after such Notice they shall not proceed to bag and weigh accordingly, they shall, before they begin to bag and weigh at any other Times, give or send the like Notice, under Pain of forfeiting 50 l. for every Neglect of such Notice in either of the Cases before-mentioned.

III. *Seff.* 26. Planters and Owners of Hops shall keep at their Ousts, Storehouses, &c. sufficient and just Scales and Weights for the weighing their Hops, and shall permit the Officers to make Use thereof, and shall not use, or suffer to be used any false Weights, on Forfeiture of 20 *l.* for each of the said Offences.

IV. *Seff.* 27. Owners of Hops, if they think fit, may put their Hops into Casks, first giving the like Notice of the Time they intend to weigh, and put their Hops into Casks, as they are by Law required to give of the bagging of their Hops; and if they put their Hops into Casks without giving such Notice, they shall be liable to the like Penalties, as such Owners would have been liable to, if such Hops so put into Casks, had been bagged without such Notice.

V. *Seff.* 28. The Officers of Excise, or others appointed by the Commissioners of that Revenue, shall in like manner attend the putting Hops into Casks or Barrels, and shall cause every Cask to be weighed, and the Weight of each Cask, and of the Hops contained therein, to be distinctly marked on every Cask; and shall enter the Weight of such Hops in his Book, (the Weight of the Cask being abated) and shall make the like Report to the Commissioners, and leave a like Copy with the Owner of such Hops, under the like Penalties, as if such Hops had been put into Bags: And the Owners of such Hops shall, within six Months after the putting them into Casks, pay and clear off the Duties, under the like Penalties as if the same had been bagged.

Houses.

I. *Stat.* 6. *G. c.* 21. *Seff.* 61. After 1 *Aug.* 1720, the Justices of Peace, who are Commissioners for the Duties on Houses, or any three of them, shall, within their Respective Limits, appoint two such Persons as they shall think responsible, to be Collectors of the Duties on Houses, whether their Names be or be not presented by the preceding Collectors: And if there shall be any Arrear of the said Duty, by Reason of the Failure of any such Collector, for which any Parish shall be answerable, any three such Justices may cause such Arrear to be reassessed within the same Parish, on all Houses liable to Payment of the Duties; and cause the same to be raised and levied, and the Money to be paid to the Receiver-General of the said Duties, or into the Exchequer, for the Uses to which such Arrears, (if they had been duly paid by the Collectors) are appropriated by several Acts in that Behalf.

Insolvent Debtors.

I Stat. 6 G. c. 22. Sect. 1. Every Sheriff, Gaoler, or Keeper of any Prison in any County, &c. within this Kingdom, shall make out a true and perfect List (alphabetically) of the Names of all Persons, who, on 24 June 1719, were actually Prisoners in their Custody, on any Process or other Matter herein after expressed, and of the Time when such Prisoners were charged in Custody, together with the Names of the Persons at whose Suit they are detain'd; and shall deliver the same to the Justices at the first Quarter-Sessions to be held after 1 May 1720, and shall in open Court take the following Oath, viz.

I A. B. do, upon my Corporal Oath, in the Presence of Almighty God, solemnly profess and declare, That all and every the Person and Persons, whose Name or Names are inserted and contained in the foregoing Lists by me now delivered and subscribed, were, to the best of my Knowledge and Belief, upon the Twenty fourth Day of June, One thousand seven hundred and nineteen, really and truly Prisoners in my Custody in the Prison or Gaol of _____ or the Limits thereof, at the Suit or Suits of the several Persons therein respectively mentioned, and so have continued, to the best of my Knowledge and Belief, unto this Day, unless out of Prison by due Course of Law; and that the said List is a true, exact, perfect, and just List of all such Persons as were really and truly Prisoners in the said Gaol or Prison of _____ unless out of Prison by due Course of Law, on the said Twenty-fourth Day of June, One thousand seven hundred and nineteen, and have from that Time to this Day so continued, without any Fraud or Deceit by me or any other Person or Persons to my Knowledge or Belief.

So help me God.

Which Oath the Justices are to administer; and the Words of the Oath shall be entred at the End or Bottom of every List, and subscribed in open Court by every Sheriff, &c. and be kept by the Clerk of the Peace for the better Satisfaction of the Justices, and Information of all Creditors, and to be seen without Fee: And the Justices at Quarter-Sessions may order Copies of the Lists to be printed by the Clerk of the Peace; for each of which Copies he may take, according to the Quantity of the Names therein contain'd, what shall be order'd by the Justices, not exceeding 1 s. for each List.

II. *Seç.* 2. And that no poor Prisoner may be defeated of his Discharge, every Sheriff, Gaoler, &c. is to fix up in the most conspicuous Place in every Prison, and at the most frequented Gate thereof, three or more Copies of the Lists to be deliver'd at the Quarter-Sessions, ten Days before the Sessions: And if any Sheriff, &c. shall neglect or refuse to insert the Name of any poor Prisoner, who was in Prison on 24 *June* 1719, and had continued so confined, he shall, for every Name so omitted, be subject to the Penalties herein after imposed for neglecting to make out such Lists.

III. *Seç.* 3. All Persons whose Names shall be inserted in such Lists, who, on 24 *June* 1719, were actually Prisoners, and from thence to the Time of their Discharge shall continue Prisoners, other than such as are committed by any Judge's Warrant upon an Escape, who shall take the Oath herein after mention'd, shall be for ever released and discharged from their Imprisonment in the Manner hereafter provided, *viz.* It shall be lawful for any Justice of any County, Riding, &c. (on the Petition of such Prisoner) by Warrant under his Hand and Seal to require the Sheriff, Gaoler, &c. to bring before the Justices at the next Quarter-Sessions, to be held after 30 Days from the Date of the Warrant, the Body of any Person in Prison, with the Warrant of his Detainer, together with Copies of the Causes which he is charged with: Which Warrant every such Sheriff, &c. is commanded to obey; and such Prisoner coming before the Justices at the Quarter-Sessions, shall in open Court subscribe and deliver in a Schedule of his whole Estate, and the Names of his several Debtors, and the several Sums by them owing, and the Names and Places of Abode of the several Persons from whom such Debts are owing, and of the Witnesses that can prove such Debts; and shall make Oath to the Effect following, *viz.*

I A. B. do, upon my Corporal Oath, in the Presence of Almighty God, solemnly Swear, Protest and Declare, That on the Twenty-fourth Day of June, which was in the Year of our Lord, One thousand seven hundred and nineteen, I was a Prisoner within the Limits of the Prison of _____ in the Custody of the Gaoler or Keeper of the said Prison of _____ at the Suit of _____ without my Consent or Procurement, and without any Fraud or Collusion whatsoever; and from that time have been in Custody, and confined at the Suit or Suits of the Person or Persons before named, unless at such time when I was out of Prison by due Course of Law; and that the Schedule now delivered, and by me subscribed, doth contain, to the best of my Knowledge, Remembrance and Belief, a full, just, true and perfect Account and Discovery of all the Estate, Goods and Effects unto me in any wise belonging, and

and such Debts as are to me owing, or to any Person or Persons in Trust for me, and of all the Securities and Contracts whereby any Money will or may hereafter become payable, or any Benefit or Advantage accrue to me, or to my Use, or to any Person or Persons in Trust for me, and the Name and Places of Abode of the several Persons from whom such Debts are due and owing, and of the Witnesses that can prove such Debts or Contracts; and that neither I, nor any other Person or Persons in Trust for me, have Land, Money, Stock, or any Estate Real or Personal, in Possession, Reversion, or Remainder, other than what are in the said Schedule contained (excepting Weaving Apparel, Bedding for my self and Family, Working Tools and necessary Implements for my Occupation and Calling, and these in the whole not exceeding the Value of Ten Pounds;) and that I have not directly or indirectly sold, lessened or otherwise conveyed, disposed of in Trust, or concealed all or any part of my Land, Money, Goods, Chattels, Stocks, Debts, Securities, Contracts, or Estates Real or Personal, whereby to secure the same, to receive or expect any Profit or Advantage thereof, or to defraud or deceive any Creditor or Creditors to whom I am indebted in any wise howsoever.

So help me God.

Which Schedule so subscribed is to remain with the Clerk of the Peace for the better Information of the Creditors; and the Estate, Debts and Effects contained in the Schedule, shall immediately after the Discharge of such Prisoner, be vested in the Clerk of the Peace, who is hereby authorized, by Order of the Justices at their Quarter-Sessions, to make an Assignment of the said Estate and Effects, to such of the Prisoner's Creditors, as the major Part of the said Creditors by any Writing under their Hands shall direct, (for which Assignment, the Clerk shall take a Fee of 2 s. and no more) in Trust for themselves and the rest of the Creditors: Which Assignees are empowered in their own Names, to sue for and receive the Debts, and to give Discharges to the Debtors, and fully to divide the same among the Creditors, who within a Month after Notice of such Dividend published in the *London Gazette*, shall produce to the Assignees an Affidavit made before one or more Justices, proving their Debts from the Prisoner so discharged; for which Assignment the Clerk of the Peace shall be paid 1 s. above the Stamp; and the Overplus to be render'd to the Prisoner.

4. *Sect. 4.* The Justice who shall grant such Warrant for bringing the Prisoner before the Justices in Quarter-Sessions, shall give a Writing importing Notice to all the Creditors of such Prisoner, under his Hand and Seal, that he hath granted such Warrant, and that the Prisoner hath petition'd to be discharg'd; and the said Notice shall be left for, or served on the Persons, or their Executors, &c. or the same,

or a true Copy thereof, shall be left at their usual Place of Abode, or with the Attorney, Solicitor or Agent last employ'd in the Cause: And every Prisoner in London, or within the Weekly Bills, shall cause the like Notice to be given to every other Creditor residing within the said City or Weekly Bills; and the like Notice shall be given to every other Creditor residing within ten Miles of the Prison; which Notice shall be left with, or served on them, 30 Days before the Quarter-Sessions; and publick Notice shall also be inserted in the *London Gazette*, containing the Name, Trade, and last Place of Abode of every Prisoner (for which there shall be paid 1 s. for each Name, and no more) 30 Days before the Quarter-Sessions; so that as well the Creditors who have not charged the Prisoner in Custody, as those who have, may appear before the Justices in Quarter-Sessions; and if it be proved on Oath before the said Justices, that the said Notice was so served or left, and publick Notice inserted in the *Gazette* 30 Days before the Quarter-Sessions, and that the Person petitioning was actually a Prisoner on the 24th of June 1719, and shall have so continued to the Time of such Prisoner's Discharge, and the said Oath taken by the Prisoner be not disproved by good Testimony of any credible Person on Oath; then the Justices shall, by Order of the Sessions, command the Sheriff, Gaoler, &c. forthwith to set at Liberty such Prisoner, without taking any Fee or Reward, other than 2 s. for his Attendance with the Prisoner at the Quarter-Sessions: Which Order shall be a sufficient Discharge to the Sheriff, &c. and shall indemnify him, against any Escape or Action which shall be brought against him by Reason thereof.

V. *Sec.* 5. Any Court of Quarter-Sessions, which shall make any Order for the Discharge of any such Prisoner, shall (if required by any Creditor) give the Sheriff, Gaoler, &c. an Oath to the Effect following, viz.

I A. B. do swear, That was really and truly
 my Prisoner in my Custody in the Prison of or the Li-
 mits thereof, to the best of my Knowledge and Belief, at or upon
 the Twenty-fourth Day of June, in the Year of our Lord, One
 thousand seven hundred and nineteen, and from that time, to the
 best of my Knowledge and Belief, hath so continued, unless out of
 Prison by due Course of Law; and the Warrant of his or her De-
 tainer, and the Copy or Copies of the Cause or Causes now by me
 brought, with the Body of the said is the Warrant
 of his or her Detainer, and is or are a true Copy or Copies, without
 any Fraud or Deceit by me or by any other, to the best of my Know-
 ledge or Belief. So help me God.
But

But if the Person who was Sheriff or Gaoler on 24 June 1719, shall not happen to be the Sheriff or Gaoler at the Time of making such Order ; then the Quarter-Sessions (if required, as aforesaid) shall administer to such Person as shall be Sheriff or Gaoler at the Time of making such Order, an Oath to the Effect following, viz.

I A. B. do swear, That I have examined the Commitments or Books kept for concerning the Commitment of Prisoners to the Prison of _____ in the County of _____ and by them it doth appear (and I verily believe, that the Books above mentioned are really the Books of Commitments, and not Fictitious ones, calculated for this Purpose) that _____ was, upon the Twenty-fourth Day of June, which was in the Year of our Lord, One thousand seven hundred and nineteen, really and truly a Prisoner in the Custody of _____ the then Sheriff, Gaoler, or Keeper of the said Prison, and from that time hath so continued without Fraud or Deceit by me or the said _____ or any other Person or Persons, to my Knowledge or Belief.

So help me God.

And any Sheriff, Gaoler, &c. refusing or delaying, without just Cause, to bring any Prisoner (though in Execution) to the Quarter-Sessions in Order to his Discharge, or neglecting or refusing to make out and deliver such Lists, or to take any of the Oaths, or taking more than 2 s. for his Attendance, or detaining any Prisoner after he is discharged, shall forfeit to the Prisoner 20 l. and shall forfeit his Office, or pay to the Prisoner 50 l. to be recover'd with treble Costs of Suit, by Action of Debt, &c.

VI. Sect. 6. If any such Sheriff, Gaoler, &c. shall, in taking any of the before mentioned Oaths, forswear himself, and be thereof convicted, he shall (over and above the Penalties now in Force for Perjury) forfeit 50 l. to be recovered with full Costs, by Bill, Complaint, &c. by and in the Name of the Assignees of the Estate of the Prisoner, for discharging of whom such Perjury shall be committed ; and for Want of such Assignees, in the Name of any other Creditor who will sue for the same ; to be apply'd, one Moiety to the Informer, and the other towards Satisfaction of the Debts of the Creditors.

VII. Sect. 7. If any Sheriff, Gaoler, &c. shall insert in any Lists deliver'd in, the Name of any Person who was not a Prisoner actually in Custody on the 24th of June 1719, or being then a Prisoner, did not from that Time actually continue such till the Time of making out and delivering such Lists according to the Tenor of the Oaths, shall, for every Name so inserted forfeit 10 l. to be recovered in

the same Manner, and apply'd to the same Use, as is before directed for Recovery of the Penalty, in Case of Conviction of Perjury.

VIII. *Seç.* 8. If any Clerk of the Peace shall delay or refuse to give any Prisoner discharged, within 60 Days after his Discharge, a Duplicate thereof, on Payment of 2 s. 6 d. or shall take more than 2 s. 6 d. for such Duplicate, he shall forfeit to every such Prisoner 5 l. to be recover'd with Costs of Suit by Action of Debt, &c. or by Order of the Justices at their Quarter-Sessions, who are impower'd to levy the same by Distress and Sale of the Offender's Goods.

IX. *Seç.* 9. If any Prisoner shall forswear himself in any of the Matters aforesaid, and be thereof convicted of wilful Perjury, he shall, over and above the Penalties in Force against Persons convicted of wilful Perjury, be render'd incapable of receiving any Benefit of his Discharge, and liable to pay his Debts, as if this Act had not been made.

X. *Seç.* 10. No Prisoner discharged by this Act, shall at any Time hereafter be imprisoned by Reason of any Judgment obtained, or any Debt, &c. contracted or growing due, before 24 June 1719; but on every Arrest on such Judgment, Debt, &c. It shall be lawful for any Judge of the Court where the Process issued, upon shewing the Duplicate of such Prisoner's Discharge, to discharge him out of Custody; so as such Prisoner give a Warrant of Attorney to appear to such Action, and to plead thereto.

XI. *Seç.* 11. If any Action of Escape, or any Suit be brought against any Justice, Sheriff, &c. for performing their Office in Pursuance of this Act, they may plead the General Issue, &c. and recover treble Costs.

XII. *Seç.* 12. The Discharge of any Person by Virtue of this Act shall not acquit any other from any Debt; but all others shall be answerable for the same, as they were before.

XIII. *Seç.* 13. Notwithstanding the Discharge of the Person of such Prisoner; all Judgments had against him, shall stand good in Law against his Lands and Tenements, Goods and Chattels, and the Creditor may take out a new Execution against his Lands, &c. (his wearing Apparel, Bedding for his Family, and working Tools, not exceeding the Value of 10 l. only excepted) for the Satisfaction of his Debt.

XIV. *Seç.* 14. It shall be lawful for any Person discharged by this Act, in Case any *Scire facias* or Action of Debt shall be brought against him, on any Judgment obtained against him, or Statute or Recognizance acknowledg'd by him, before 24 June 1719, to plead generally, in Discharge of his Person from Execution, That he was a Prisoner in
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such

such a Prison, at such a Person's Suit, on 24 *June* 1719^e and duly discharged according to this Act; without pleading any other Matter specially: And in Case any other Action or Suit be commenced against him for any other Debt due before 24 *June* 1719, he may plead, That such Debt was contracted before 24 *June* 1719; and further, That he was a Prisoner, and duly discharged in the Manner above directed, without pleading any other Matter specially; whereto the Plaintiff may reply, That the Defendant was not actually a Prisoner on 24 *June* 1719; or any other Matter which may shew the Defendant not to be entitled to the Benefit of this Act, and not duly discharged according to it: And if the Plaintiff be nonsuited, &c. the Defendant to have treble Costs.

XV. *Seçt.* 15. No Person who shall not obtain his Discharge before 25 *March* 1721, shall have any Benefit by this Act.

XVI. *Seçt.* 16. This Act shall not extend to *Scotland*.

XVII. *Seçt.* 17. Every Sheriff, Gaoler, &c. shall suffer in the Day-time any Person to speak with, in the Lodge, or some convenient Room of the Prison, any Prisoners, whose Names are inserted in the Lists or *Gazette*; and also to see in the true and genuine Books of the Prison, the Entries made of the Names of such Prisoners, together with the Names of the Persons at whose Suits they are detained: And if any Sheriff, Gaoler, &c. refuse to comply with what is above required, he shall forfeit 10 *l.* to the Person so refused; to be recover'd with full Costs by Action of Debt, &c.

XVIII. *Seçt.* 18. If a Prisoner, being required by any Creditor, shall refuse to declare the Trade, Occupation, and Habitation or last Place of Abode, of the Persons at whose Suit he is detained, or being called for, shall refuse to come to the Lodge, on Proof thereof before the Justices at the Quarter-Sessions, he shall be incapable of receiving any Benefit by this Act.

XIX. *Seçt.* 19. If any Sheriff, Gaoler, &c. shall make or cause to be made any false Entries in any Book belonging to the Prison; or shall keep any false Books in Order for such false Entries, he shall (over and above the Penalties now in Force for such Fraud, Forgery or Corruption) forfeit 100 *l.* to be recovered with treble Costs of Suit by and in the Name of any Person who will sue for the same by Action of Debt, &c.

XX. *Seçt.* 20. No Person against whom a Statute of Bankrupt hath been awarded, shall have any Benefit by this Act.

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XXI. Sect. 21. Notwithstanding the Discharge of any Prisoner by this Act, if it shall hereafter appear the same was fraudulently obtained, the same shall be void and of none Effect.

XXII. Sect. 22. Every Prisoner, petitioning to be discharged by this Act, shall leave with the Justice petitioned, a true Copy of the Schedule, containing his intended Discovery, to be sworn to at the Quarter-Sessions: Which Copies shall be transmitted to the Clerks of the Peace, and there be seen without Fee by any Creditor.

XXIII. Sect. 23. It shall be lawful for two or more Justices of the Peace for each of the Ridings and Divisions in the Counties of *York* and *Lincoln*, at the Common or County-Gaol thereof respectively, to assemble and hold Sessions there by Adjournment from their respective Quarter-Sessions, for the Discharge of the Prisoners therein, according to the Powers of this present Act.

XXIV. Sect. 24. All Debtors and others who were in Prison on 24 June 1719, for Want of paying their Fees or Charges due to the Gaoler, or to any other Officer; (and on no other Account) such Fees or Charges not exceeding 40 s. shall be discharged on taking the Oath required by this Act.

XXV. Sect. 25. No Person shall be discharged, or have any Benefit by this Act, who shall really stand charged, and be indebted in more than 50 l. for Debt, besides Interest, Damages and Costs of Suit, to any one Person.

Ireland.

I. Stat. 6 G. c. 5. Sect. 1. Whereas the House of Lords of *Ireland*, have of late, against Law assumed to themselves a Power and Jurisdiction to examine, correct, and amend the Judgments and Decrees of the Courts of Justice in that Kingdom: Therefore for the better Securing of the Dependency of *Ireland* upon the Crown of *Great Britain*, it is declared, That the said Kingdom of *Ireland* hath been, is, and of Right ought to be subordinate unto, and dependent upon the Imperial Crown of *Great Britain*, as being inseparably united and annexed thereto: And that the King's Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons of *Great Britain* in Parliament assembled, had, hath, and of Right ought to have full Power and Authority to make Laws and Statutes of sufficient Force and Validity, to bind the Kingdom and People of *Ireland*.

II. *Seff.* 2. And further declared and enacted, That the House of Lords of *Ireland* have not, nor of Right ought to have any Jurisdiction to judge, affirm, or reverse any Judgment, Sentence, or Decree, given or made in any Court within the said Kingdom: And that all Proceedings before the said House of Lords upon any such Judgment, Sentence or Decree, are, and are hereby declared to be utterly null and void to all Intents and Purposes whatsoever. ✓

III. *Stat.* 6 G. c. 21. *Seff.* 62. After 1 *August* 1720, where any Ship or Vessel of the Burthen of 50 Tuns, or under, laden with Customable or Prohibited Goods, shall be found at Anchor, or hovering on the Coasts of *Ireland*, within two Leagues of the Shore, and not proceeding on her Voyage, Wind and Weather permitting; any Officer of the Customs of that Kingdom may go on Board such Ship, and take Account of the Lading, and demand and take Security from the Master, or other Person taking Charge of such Ship, by his own Bond to be entred into to the King, in a Sum treble the Value of the Goods on Board, with Condition, That such Ship (as soon as Wind and Weather, and the State of such Ship doth permit) shall proceed regularly on her Voyage, and not land such Goods (except Wool lawfully licensed) at some Foreign Port: And if such Matter, &c. refuse to enter into such Bond, or having entred into such Bond, shall not depart on such Voyage, (as soon as Wind, &c. shall permit) unless suffered to make a longer Stay by the Collector (or other principal Officer in his Absence) of the Port where such Ship shall be, not exceeding 20 Days; in either of the said Cases, all the Goods on Board shall by any Officer of the Customs, by Direction of the Collector, &c. be taken out of such Ship, and forthwith brought on Shore and secured; and if the Goods are customable, the Customs and other Duties shall be paid for the same; and as concerning Wool, or any prohibited Goods, or other Goods liable to Forfeiture, which shall be found on Board such Ships at the Time of their unlading, the same are hereby declared subject to Forfeiture, and the Officers of the Customs may prosecute the same, and also the Vessel, if she be liable to Condemnation.

IV. *Seff.* 63. After such Goods are brought on Shore and secured, such Bonds so given as aforesaid, shall be void, and delivered up without Fee; and such Bond, not being otherwise discharged, shall on proper Certificate returned under the Common Seal of the chief Magistrate in any Place beyond the Seas, or under the Hands and Seals of two known *British* or *Irish* Merchants upon the Place, that such Goods were there landed; or upon Proof by credible Persons,

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sons, that the same were taken by Enemies or perished in the Sea, (the Examination and Proof thereof being left to the Judgment of the Commissioners of the Customs in *Ireland*) shall be vacated and discharged.

V. *Seç.* 64. The Commissioners or Sub-Commissioners of Excise, in their respective Limits in *Ireland*, or the major Part of them, may hear and determine all Offences, against any Clause in this or any other Act now in Force in *Ireland*, made for preventing the unlawful Exportation of Wool, Wool-Fells, Shortlings, Mortlings, Wool-Flocks, Worsted, Bay or Woollen Yarn, Cloth, Serge, Bays, Kerseys, Sayes, Frizes, Druggets, Cloth-Serges, Shaloons, or any other Drapery-Stuffs, or Woollen Manufactures, made or mix'd with Wool or Wool-Flocks, and manufactured in *Ireland*: Which Commissioners, &c. may proceed in a summary Way, and give Judgment, and levy the Fines, Penalties, &c. in like Manner as they are enabled to proceed, &c. in Cases of Excise in *Ireland*, by any Acts now in Force there.

VI. *Seç.* 65. No Person shall be admitted to claim Property upon any Seizure made upon any Clause in any Act, for preventing the unlawful Exportation of Wool from *Ireland*, till he has first given Security to the said Commissioners, &c. of the District where the Seizure was made, to answer the Penalties attending the Forfeiture thereof, if such Seizure shall be adjudg'd good in Law.

VII. *Seç.* 66. Persons sued may plead the General Issue, &c. and on a Verdict, &c. have full Costs against the Plaintiff.

Jurors and Juries.

I. Stat. 9 G. c. 8. *Seç.* 2. All the Clauses and Provisions in the Act 4 & 5 W. & M. c. 24, relating to Jurors, and in 4 & 5 A. c. 18, relating to the Returns and Service of Jurors, continued by 10 A. c. 14, shall be further continued from the Expiration thereof, for seven Years, and from thence till the End of the then next Session of Parliament.

Justices of the Peace.

I. Stat. 9 G. c. 7. *Seç.* 3. For the greater Ease of Justices of the Peace for any County of this Realm, It is enacted, That if any such Justice shall happen to dwell in any City, or other Precinct, that is a County of it self, situate within

within the County at large, for which he shall be appointed a Justice, though not within the same County; such Justice may grant Warrants, take Examinations, and make Orders for any Matters, which any one Justice may act in, at his own Dwelling-House, though it be out of the County where he is authorized to act as a Justice, and in some City, or other Precinct adjoining, that is a County of it self: And such Warrants, Orders, and other Acts of any such Justice; and the Acts of any Constable, Tythingman, Headborough, Overseer of the Poor, Surveyor of the Highways, or other Officer in Obedience to any such Warrant or Order, shall be good in Law, though it happen to be out of the Limits of the proper Precinct or Authority. Provided, That nothing herein shall give Power to the Justices for the Counties at large, to hold their General Quarter-Sessions in Cities or Towns that are Counties of themselves; nor impower Justices, Sheriffs, Bailiffs, Constables, Headboroughs, Tythingmen, Borsholders, or any other Peace-Officers of the Counties at large, to act or intermeddle in any Matters arising within Cities or Towns which are Counties of themselves; but all such Actings shall be of the same Force, and none other, as if this Act had never been made.

Lottery.

I. Stat. 7 G. c. 20. *An Act for continuing the Duties on Malt, Mum, Cyder, and Perry, to raise Money by Way of a Lottery, for the Service of the Year 1721, &c.*

Seft. 3. All the Duties on Malt, &c. which shall be brought into the Exchequer, shall be appropriated for the Payment of such Monies, as shall be payable on the Lottery Certificates after mentioned, and such other Uses as are hereby after prescribed. And if the Duties on Malt, &c. by this Act granted, shall appear so deficient or low, as that the Money thereby arising before 29 Sept. 1722; shall not amount to 735,300 l. then the Deficiency hereof shall be made good out of the first Aid to be granted in Parliament after 29 Sept. 1722, and shall be transferred thereto.

II. Seft. 4. All the Monies arising at the Exchequer, on Account of the said Sum of 735,300 l. shall be issued Weekly to the chief Cashier of the Bank, by Way of Imprest and on Account, for Payment of the said Lottery Certificates; and such other Uses as are herein prescribed touching the same; and the Treasury are to cause the same

to be imprest'd, and paid to the said Cashier accordingly, without other Warrant for so doing.

III. *Señ.* 5. Any Persons may be Contributors towards raising a Sum not exceeding 700,000*l.* by paying by the Times in the Act limited to any Receivers to be appointed for that Purpose, the Sum of 10*l.* or divers entire Sums of 10*l.* and for every Sum of 10*l.* so advanced, shall be entitled to such Payment out of the Monies appropriated, as is prescribed by this Act in that Behalf: And the same entire Sums of 10*l.* each are to be paid to the Receivers, at such Times, and by such Proportions, on or before 15 *Aug.* 1721, as shall be appointed by the Commissioners of the Treasury.

IV. *Señ.* 6. Such Persons as the Commissioners of the Treasury shall appoint, shall be Managers and Directors for preparing and delivering out Tickets, and to oversee the Drawing of Lots, and to order and do such other Matters and Things as are hereafter by this Act directed; and they shall meet at some publick Office for the Execution of the Powers and Trusts hereby reposed in them; and the major Part present at such Meeting shall cause Books to be prepared, in which every Leaf shall be distinguish'd into three Columns, and on the Innermost of the three Columns there shall be printed 70,000 Tickets, numbered One, Two, Three, and so onwards in arithmetical Progression, where the common Excess is to be One, till they rise to 70,000; and on the middle Columns shall be printed 70,000 Tickets of the same Length, Breadth and Form, and number'd in like Manner; and in the extream Columns there shall be printed a third Rank of Tickets of the same Number with those of the other two Columns: Which Tickets shall be of an Oblong Figure, and in the Books shall be joined with Oblique Lines, Flourishes, and such other Devices, as the Managers shall think most safe and convenient; and every Ticket of the extream Columns shall have written or printed thereon (besides the Number) Words to this Effect: *This Ticket entitles the Bearer to 8*l.* or a better Chance, and such Interest as is prescribed by the Act of Parliament in that Behalf.*

V. *Señ.* 7. The Treasury are to appoint Receivers, who are to give Security: And the Managers are to examine the Books, and to deliver them to the Receivers, taking from them a Receipt, that the Receivers may be charged to answer 10*l.* in Money for every of the Tickets in the extream Columns, or for so many as they shall not return back to the Managers; and the Receivers on receiving every entire Sum of 10*l.* are to cut out a Ticket, indentwise, of the extream Columns and sign it with their own Names; and shall permit the Contributor, (if it be desired) to write his Name or Mark on the two corresponding Tickets in the same Book; and

and at the same Time the Receivers shall deliver to the Contributor, the Ticket so cut off.

VI. *Seç.* 8. The Receivers, by 29 Aug. 1721, shall redeliver to the Managers all the Books, and therein all the Tickets of the first and second Columns, and so many of the Tickets of the extream Columns, as they shall not have cut out; and shall then deliver a true Account of all Monies accrued for Tickets; and how the same, or how much thereof, shall have been paid into the Exchequer; and the Tickets not disposed of, shall be deliver'd into the Exchequer, and shall be issued from thence as Cash; and the Bearers of such Tickets shall be esteemed Contributors: and the Managers shall cause the Tickets of the middle Columns to be carefully rolled up, and made fast with a Thread or Silk; and in the Presence of such Contributors as will be there, to be cut off indentwise into a Box, to be marked with the Letter (A,) which shall be put into another strong Box, and lock'd up with seven Locks and Keys, to be kept by as many of the Managers, and sealed with their Seals, till the Tickets are to be drawn; and the Tickets in the innermost Columns shall remain in the Books, for discovering any Mistake or Fraud, if such shall happen.

VII. *Seç.* 9. The Managers are also to prepare other Books with two Columns, and upon the Innermost of the two Columns there shall be printed 70,000 Tickets, and the like Number on the outermost Column, all of equal Length and Breadth, which two Columns shall be joined with some Flourish or Device, through which the outermost Tickets may be cut off indentwise; and 6998 Tickets, Part of those in the outermost Columns, shall be called the Fortunate Tickets, upon which the Managers shall cause to be written, as well in Figures as in Words at Length, in Manner following, *viz.* Upon one of them 10,000 *l.* Principal Money; upon two of them severally 5000 *l.* Upon two of them 3000 *l.* Upon three of them 2000 *l.* Upon twenty of them 1000 *l.* Upon thirty of them 500 *l.* Upon one Hundred and fifty of them 100 *l.* Upon four Hundred of them 50 *l.* And upon six Thousand three Hundred and ninety 20 *l.* Principal Money; which Sums, with 500 *l.* to the first drawn Ticket, and 1000 *l.* to the last drawn Ticket, besides the Benefits which happen to these two Tickets, will amount to the Principal Sum of 231,300 *l.* which being added to the Sum of 504,000 *l.* which will be the Principal payable on the remaining 63,000 Blanks, amounting together to the Principal Sum of 735,300 *l.* being the total Principal Money to be repaid by Virtue of this Act. And the Managers shall cause all the Tickets contain'd in the outermost Columns to be carefully rolled up, and fasten'd with Thread or Silk, and cut out indentwise into another

other Box, to be marked with the Letter (B.) which Box shall presently be put into another Strong Box, and lock'd up with seven several Locks and Keys, to be kept by as many of the Managers, and sealed with their Seals, till the Tickets shall be drawn; and no Money shall be received from any Contributor after 15 Aug. 1721. And the whole Business of rolling up, cutting off, and putting into Boxes the said Tickets, shall be perform'd by 15 Nov. 1721. And some publick Notification in Print shall be given of the Time of cutting the Tickets into the Boxes, that the Adventurers may be present.

VIII. *Sett.* 10. On or before 22 Nov. 1721, the several Boxes with the Tickets shall be brought into the *Guild-Hall* of *London*, and placed on a Table there; and the two Boxes containing the Tickets, shall be taken out of the other two Boxes in which they were lock'd up; and the Tickets being well shaken and mingled in each Box, some indifferent Person to be appointed by the Managers, shall take out one Ticket from the Box where the number'd Tickets shall be put; and one other indifferent Person shall presently take out a Ticket from the Box where the 6998 Fortunate, and the 63,000 Blank Tickets shall be put; and immediately both the Tickets so drawn shall be opened, and the Number of each named aloud; and if the Ticket from the Box containing the Fortunate and Blank Lots be a Blank, then the number'd Ticket so drawn with the said Blank, shall both be put on one File; and if it be a Fortunate Ticket, then the Principal Sum written thereon, shall be enter'd in a Book; and two of the Managers shall set their Names as Witnesses to every such Entry; and the Fortunate and number'd Ticket so drawn together shall be put on another File, and so the Drawing shall continue, till the whole Number of the Fortunate Tickets, and one more for the last, shall be completely drawn; and if it cannot be perform'd in one Day, the Managers shall cause the Boxes to be locked and sealed up, as aforesaid, and adjourn till the next Day; and so from Day to Day every Day (except *Sundays* and *Fast-Days*) till completely drawn; and the Fortunate Tickets shall remain in a strong Box lock'd up as above, and in the Custody of the Managers, till they shall take them out to examine them, and adjust the Properties thereof.

IX. *Sett.* 11. The Day after the General Drawing being ended, the Managers shall cause 70 Tickets to be prepar'd and number'd arithmetically, beginning with Number 1000, and ending with Number 70,000, in an arithmetical Progression where the common Excess shall be 1000: Which Tickets shall be of equal Length and Breadth, and shall be the Indices of the whole Number of the 70,000 number'd Tickets; so that the first of the said 70 Tickets shall signify the first

1000, and the second the second 1000 of the said 70,000 Tickets, and so of the rest: Which said 70 Tickets shall be rolled, sewed up, and put into a Box marked (A) and 70 Tickets more prepared as above, shall be put into a Box marked (B) and shall be drawn by two indifferent Persons; and the Number of the Ticket taken out of the Box, (B) shall denominate the Number of the Course of Payment of the Original number'd Tickets, whereof the Number taken at the same Time out of the Box (A) shall be the Index. And both the said Tickets shall be put together on one File, and shall be enter'd by a Clerk in a Book, and two of the Managers shall set their Names as Witnesses to every such Entry.

X. *Seff.* 12. The Blanks shall be paid off in the first Place, out of the Monies to be issued to the Cashier of the Bank, according as the Course of Payment shall happen to fall, and afterwards the Prizes in like Course.

XI. *Seff.* 13. If any of the Tickets remain unsatisfy'd on 14 June 1722, then they shall carry Interest at 4 l. per Cent. from that Day, till paid off.

XII. *Seff.* 14. The Managers shall cause an exact Table of the Course of Payment of every Thousand of the seventy Thousand Tickets to be printed.

XIII. *Seff.* 15. As soon as the Drawing is over, the Managers shall forthwith cause to be printed and published the Numbers of the Tickets drawn against each Fortunate Ticket, and the Principal Sums written thereon, and the Course of Payment. And if any Person shall counterfeit any Ticket, or Certificate, or alter the Numbers, or bring any forged Ticket or Certificate (knowing it to be so) to the Managers, or to the Cashier of the Bank, with Intent to defraud his Majesty, or any Contributor, (being thereof convicted) he shall be adjudged a Felon, and suffer as in Cases of Felony, without Benefit of Clergy: And any two of the Managers may commit him to Newgate.

XIV. *Seff.* 16. Every Manager, before his Acting shall take the following Oath, viz.

I A. B. do Swear, That I will faithfully execute the Trust reposed in me; and that I will not use any indirect Art or Means, or permit any Person to use any indirect Art or Means, to obtain a Prize or Fortunate Lot for my self, or any other Person whatsoever; and that I will do my utmost Endeavour to prevent any undue or sinister Practice to be done by any Person whatsoever; and that I will, to the best of my Judgement, declare to whom any Prize, Lot, or Ticket, of Right does belong, according to the true Intent of this Act in that behalf.

Which Oath may be administer'd by any two of the other Managers.

XV. *Seff.* 17. All Receipts and Issues, and all other Things directed by this Act, shall be perform'd by the Officers without demanding any Fee for the same. And if any Officer or Person shall demand any Fee, or divert or misapply any of the Money, or shall not keep Books, and make Entries, &c. he shall forfeit his Office, and be incapable for the Future of any Office or Place of Trust whatsoever, and shall pay treble Damages and Costs of Suit to any Adventurer that will sue for the same; to be recovered by Action of Debt, &c. in which the Plaintiff on Recovery shall have full Costs: One Third of the Sum recovered to be paid into the Exchequer for the Use of his Majesty; and the other two Thirds to be for the Use of the Prosecutor.

XVI. *Seff.* 18. The Money contributed by, or payable to any Person, by Virtue of this Act, shall not be chargeable with any Taxes or Duties whatsoever.

XVII. *Seff.* 19. The Tickets shall be exchange'd for Certificates, to be sign'd by such of the Managers as shall be appointed for that Purpose, and the said Certificates shall be paid in Course.

XVIII. *Seff.* 20. Such Persons as the Treasury shall appoint to take in the Tickets, and to deliver out Certificates in Lieu thereof, shall give timely Notice in the *Gazette* of the Days and Times of taking in the Tickets, and for delivering out the Certificates; and every Person's Certificate shall be number'd in the respective Courses according to their bringing in their Tickets: To which Purpose the Officers appointed to exchange the same, shall enter in a Book the Name of every Person who brings any Tickets to be exchanged for Certificates, and the Day of the Month and Year when the same were brought; and the Money hereby granted shall be apply'd to pay and discharge the same in Course, and the Certificates shall be paid numerically according to their Numbers. And such Certificates shall be irrevocable, and assignable by Endorsement or otherwise, in like Manner as Orders of Loan.

XIX. *Seff.* 21. In paying off the Principal Monies in the Courses directed, it shall be interpreted no undue Preference, if subsequent Certificates be paid before those of others who did not come to take their Monies in Course, so as there be so much Money reserved, as will satisfy the precedent Certificates.

XX. *Seff.* 22. If there be any Surplus of the Money, after paying or reserving sufficient to pay all the Monies payable on the Certificates, it shall be reserved for Disposition by Parliament.

XXI. *Seff.*

XXI. Sect. 23. The Cashier, as Money shall come to his Hands, shall cause Notice in Writing to be hung up in his Office, of the Numbers and Courses of Payment of all such Certificates, which the Monies come to his Hands, will extend to pay.

XXII. Sect. 24. The Receivers may take in Money before they shall have received the Books from the Managers, giving Notes under their Hands for the Money contributed, and shall be obliged thereby to give the Bearer a Ticket for each 10*l.* paid.

XXIII. Sect. 25. The Treasury may reward the Managers and their Clerks and Officers, for their Pains, as they shall think fit and reasonable.

XXIV. Sect. 26. The Treasury, where the extraordinary Benefit of any Fortunate Ticket shall be for the Principal Sum of 1000 *l.* or upwards, may cause the Principal Sum belonging to such Ticket, to be divided into several Certificates for Payment; so as such Certificates be number'd and payable successively one after the other, in the same Course of Payment as they would have been, had only one Certificate been made out for such Benefit; and so as no such Certificate be for less than 500 *l.*

XXV. Sect. 27. Guardians and Trustees may contribute for Infants; and every such Infant shall become a Contributor within the Meaning of this Act, and be entitled to such Payment in Respect thereof, as any other Contributor: And every such Guardian and Trustee, as to the Sums so advanced, is hereby discharged, so as the Name of the Infant be expressed in the Receipt for the Money, and also on the Ticket deliver'd out for the same.

XXVI. Stat. 7. G. c. 27. Sect. 25. It shall be lawful for any Persons, at any Time before or after the Drawing of the Tickets issued by Virtue of 7 G. c. 20, to advance or lend on Security of the same Tickets, any Sum, for such Time, and at such Interest not exceeding 6 per Cent. per Annum, and on such Conditions, as shall be first approved by the Commissioners of the Treasury.

XXVII. Stat. 8 G. c. 2. An Act for continuing the Duties on Malt, Mum, Cyder, and Perry, to raise Money by Way of a Lottery, for the Service of the Year 1722, &c.

This Act, so far as it relates to Lotteries, differs in nothing from the Act of the last Session, 7 G. c. 20. (which see above) except in the following Clauses.

XXVIII. Sect. 7. Any Persons, having Certificates made forth in Pursuance of 7 G. c. 20. For continuing the Duties on Malt, &c. to raise Money by Way of a Lottery for the Service of the

Year 1721; (which Certificates were thereby prescribed to be made forth in Lieu of the Blank Tickets) may, at any Time before 24 June 1722, to be appointed by the Treasury, contribute such Certificates on this Act; and every such Certificate for one single Blank, shall be received for 8 l. the Persons endorsing their Names on the Certificates contributed: And Persons having Certificates so made forth, comprehending several Sums of 8 l. in one entire Sum for such Blank Tickets only, may in the same Manner contribute such Certificates, which shall be received as specific Money.

XXIX. *Seç.* 10 The Receivers, within 8 Days after the Receipt of any Money or Certificates, shall pay and deliver the same into the Exchequer, where the Tellers shall throw down their Bills, to charge themselves with the Money so received, and with the Principal Sums contained in such Certificates, as if the Payments were made in Specie; and Tallies of Sol shall be levied accordingly, to be applied to the Receivers Account.

XXX. *Seç.* 11. The same Certificates may be issued again from the Exchequer, for any Uses whereto any specific Money contributed on this Act, may be lawfully issued; and the publick Officers or Persons to whom such Certificates shall be so issued, may assign and transfer the Property thereof, by Endorsements thereon, or otherwise, to any Persons, for raising Money for the Service of their Offices; and such Assignees may assign again *toties quoties*. And the said Officers, or their Assigns, shall be entitled to the Payment of the Principal thereof, and of such Interest, as after 24 June 1722, shall incur upon the same, out of the Monies to arise from the Duties by the former Act granted, or such other Provisions as are thereby made, in the due Course thereby prescribed, as if they had been original Contributors on the former Act. And as to such Certificates as shall be received at the Exchequer, and not reissued from thence, the Treasury (as any Monies of the Duties granted by the former Act, which shall be applicable to discharge such unissued Certificates, shall come into the Exchequer) shall cause such Monies to be applied for discharging and cancelling such unissued Certificates, or such of them as shall be in Course of Payment; taking Care that when the Tellers shall be discharged of the Certificates, they be duly charged, not only with the Principal Monies so applied, but also with the Interest, in Cases where such Monies shall be apply'd to the Payment of Interest, as well as Principal.

XXXI. *Seç.* 35. The Commissioners of the Treasury shall authorize and direct the Officers in the Exchequer therein concern'd, to permit the Tellers, or their Deputies, in whose Offices any unissued Tickets of the Lottery 1721, are remaining

remaining, to exchange the same, as well Blanks as Benefits, for Certificates, according to the Directions of 7 G. c. 20: Which Certificates shall be made forth in the Name of the Tellers, or their chief Clerks, from whose Offices the Tickets shall be taken out; and the Tellers, or their Clerks shall place in their Offices the said Certificates instead of the Tickets, to be thence issued as Cash for the Principal Sums contained therein. And if such Principal Money, comprehending therein the Benefits as well as Blank Tickets, shall happen to be more than what the Teller ought to stand charged with at the Rate of 10*l.* each Ticket; then the Treasury are to take Care that such Teller be surcharged with the Surplus Sum for the Use of the Publick; and if the Amount of the Certificates shall happen to be less in Principal Money, than what the Tellers ought to stand charged with at the said Rate, then the Treasury shall cause the deficient Sums to be allowed to the Tellers upon their respective Accounts, and to be discharged in the weekly Certificates accordingly.

XXXII. *Seff.* 36. Every Person who shall set up, continue, or keep, or cause or procure to be set up, &c. any Office or Place under the Denomination of Sales of Houses, Lands, Advowsons, Presentations to Livings, Plate, Jewels, Ships, Goods or other Things, for the Improvement of small Sums of Money; or shall sell or expose to Sale any Houses, Lands, &c. by Way of Lottery, or by Lots, Tickets, Numbers, or Figures; or shall make, print, advertise, or publish, or cause to be made, &c. Proposals or Schemes for advancing small Sums of Money by several Persons, amounting in the whole to large Sums, to be divided amongst them by the Chances of the Prizes in any publick Lottery established or allowed by Act of Parliament; or shall deliver out, or cause or procure to be deliver'd out, Tickets to Persons advancing such Sums, to entitle them to a Share of the Money so advanced; according to such Proposals or Schemes; or shall make, print, or publish, or cause to be made, &c. any Proposal or Scheme of the like Kind or Nature, under any Denomination, Name, or Title whatsoever, and shall be thereof convicted on the Oath of one or more credible Witnesses, by two or more Justices of the Peace of the County, &c. where such Offence shall be committed, or the Offender found; the Person so convicted, shall, for every Offence, (over and above any former Penalties, inflicted by any Act of Parliament, made against private and unlawful Lotteries) forfeit 500*l.* One Third to the Crown, one other Third to the Informer, and the remaining Third to the Poor of the Parish where the Offence shall be committed; to be levied by Distress and Sale of the Offender's Goods,

by Warrant of the Justices before whom convicted; and shall also, for every Offence, be committed by the said Justices to the County-Gaol, without Bail or Mainprize, for one whole Year, and from thence till the said 500*l.* be fully paid: But Persons aggrieved by the Determination of such Justices, may appeal to the next Quarter-Sessions for the County, &c. whose Judgment shall be final.

XXXIII. *Seß.* 37. All Persons who shall be Adventurers in such Sales or Lotteries, or shall pay any Money or other Consideration, or any Ways contribute to, or on Account of such Sales or Lotteries, shall forfeit, for every Offence, double the Sum contributed; to be recovered with Costs of Suit, by Action of Debt, &c. one Moiety to the Crown, the other to the Informer.

XXXIV. *Stat.* 9. G. c. 3. *An Act for continuing the Duties on Malt, &c. to raise Money by Way of a Lottery, for the Service of the Year 1723.*

This Act, so far as it relates to the Lottery, differs in nothing from the Acts 7 G. c. 20, and 8 G. c. 2.

XXXV. *Stat.* 9 G. c. 19. *Seß.* 4. If any Persons shall after 1 July 1723, by Colour of any Grant or Authority from any Foreign Prince or State, set up, continue or keep, or cause or procure to be set up, &c. any Lottery, or Undertaking in the Nature of a Lottery, under any Denomination whatsoever; or shall make, print, or publish, or cause to be made, &c. any Proposal or Scheme for any such Lottery, or shall within this Kingdom, sell or dispose of any Tickets in any Foreign Lottery; and shall be convicted of any the said Offences, on the Oath of one or more Witnesses before two or more Justices of the County, &c. where such Offence shall be committed, or the Offender found; such Offender shall for every Offence, (over and above any former Penalties, inflicted by former Acts made against unlawful Lotteries) forfeit 200*l.* one Third to the Crown, one other Third to the Informer, and the remaining Third to the Poor of the Parish where the Offence was committed: To be levied by Distress and Sale of the Offender's Goods, by Warrant of the Justices before whom convicted; and shall also, for every such Offence, be committed by the Justices to the County-Gaol, without Bail or Mainprize, for one whole Year; and from thence till the said forfeited Sum be fully satisfy'd.

XXXVI. *Seß.* 5. Persons aggrieved by the Judgment of the Justices, may appeal to the the next Quarter-Sessions, whose Judgment shall be final.

XXXVII. *Stat.*

XXXVII. Stat. 10. G. c. 2. *An Act for continuing the Duties on Malt, &c. to raise Money by Way of a Lottery, for the Service of the Year, 1724.*

All the Clauses in this Act relating to the Lottery, are the same as in the preceding Acts.

Malt.

I. Stat. 6 G. c. 21. Sect. 1. After 24 June 1720, no Malster or Maker of Malt for Sale or Exportation, shall permit any Barley or other Corn making into Malt, to be wetted on the Couch or Floor, or in any other Place but in his Cisterns or uting Vats, duly enter'd for that Purpose at the Office of Excise for the Division where such Malt shall be wetted, on Pain of forfeiting 2 s. 6 d. for every Bushel.

II. Sect. 2. No such Malster shall cause his Corn or Grain to be wetted in such Manner that the same shall acrespire, that is to say, grow out or sprout at that end of the Grain from whence the Blade proceeds: And if any such Malster shall so wet his Corn, that the Supervisors or other Officers for the Duties of the Division where such Corn is making into Malt, shall suspect the same, or some Part thereof, to be acrespired, it shall be lawful for them to take out of any particular Part of the Floor of such Wetting, so much thereof as they can conveniently take up with one Hand at one Time, and examine the same, to see if it be acrespired, or not; and if on Examination thereof it appear, that more than one Part in fifteen is acrespired, the entire Wetting shall be charged as acrespired Malt; and the Malster shall be charged with the full Duty of 6 d. per Bushel for every Bushel of that Wetting, and shall not have any Allowance out of the same in Respect of its being charged on the Floor, or elsewhere; and shall also forfeit for every Bushel of such Malt, 5 s.

III. Sect. 3. The Supervisors or other Officers, who shall discover such acrespired Corn making into Malt, shall, within 48 Hours, give Notice thereof in Writing to the Malster, or some of his Servants, on Forfeiture of 40 s. for every Neglect.

IV. Sect. 4. If any unmalted Oats or Barley shall be found mixed with Malt shipped for Exportation, the Persons who shall ship, or procure to be shipped, such Malt so mixed, shall forfeit 5 s. per Bushel.

V. Sect. 5. The Commissioners of the Excise may constitute one or more Officers in such of the Ports where any Malt is, or shall be shipped for Exportation, with In-

tent to obtain a Drawback, not only to attend the Measuring of the Malt, but also to continue on Board till the Ship shall be cleared the Port, in Order to prevent the Relanding thereof.

VI. *Seff.* 6. Persons intending to ship Malt for Exportation, shall, 48 Hours before the Beginning to put it on Board, give such Officers of the Port Notice in Writing of the particular Day, and precise Hour of such Day, when such Shipping is intended to be begun, on Forfeiture of 5*s.* for every Bushel of Malt, which shall be put on Board without such Notice.

VII. *Seff.* 7. If any Person shall oppose or hinder any Officer of the Excise, in the Execution of the Powers given him by this, or any other Act relating to the Duties of Excise, he shall forfeit for every Offence 10*l.*

VIII. *Seff.* 8. If any Corn in any Cistern or Uting Vat, steeping or steeped, in Order to the making the same into Malt, by any Malster, (other than the Compounders for the Duty) is found so hard, close and compact, as it could not be, unless the same had been forced together to prevent the rising and swelling thereof; every such Malster (other than Compounders) shall forfeit 2*s.* 6*d.* per Bushel for every Bushel of such Corn.

IX. *Seff.* 9. All Penalties and Forfeitures by this Act imposed on Account of the Duty upon Malt, shall be sued for, recovered, and mitigated by such Ways, &c. as any Penalty, &c. may be sued for, &c. by any Laws of Excise, or by Action of Debt, &c. in any Court at *Westminster*, or in the Court of Exchequer in *Scotland*; and one Moiety of every Penalty shall be to the King, the other to the Informer.

X. *Stat.* 9 *G. c.* 3. *Seff.* 35. After 25 *March* 1723, and after the Duties by 12 *A. Seff.* 1. *c.* 2, imposed on Malt, and hereby continued, are paid, If any Quantity of Malt shall unfortunately happen to be destroy'd or damaged by Fire, or shall perish, or be damaged by the casting away of, or by any inevitable Accident happening to any Barge or Vessel, in which the Malt shall be transporting or transported from any Part of this Kingdom to another, or put on Board for that Purpose, the Proprietors may make Proof thereof on Oath of one or more credible Witnesses, and of the Malsters or Owners thereof having paid the said Duty, either before the Justices of the Peace of the County, &c. where such Malt was put on Board or made, (or kept at the Time of such Loss or Damage) or next adjoining to the Place where such Accident shall happen, at their Quarter-Sessions, or before the Major Part of the Commissioners of Excise, who are severally empowered, in Case where Proof shall be made that such Malt was entirely lost, or totally
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destroy'd, and that the Duties were paid, to grant a Certificate thereof, and of the Amount of the Duty; upon the producing of which to the Collector of the said Duty, he shall repay the Proprietor of the Malt so much Money as the Sum certified to be paid for the Duty of the Malt so lost, shall amount unto; and in Cases where the Malt shall not be totally lost, but damaged only, the said Justices and Commissioners are empowered on Proof of such Damage, and of Payment of the Duties, to settle the Quantum of such Damage, and to give a Certificate under their Hands and Seals, of the Sum allowed for such Damage: Which Allowance, where the Malt is damaged only, shall bear the same Proportion to the whole Duty of the Malt so damaged, as the said Damage shall appear to bear to the Value of the Malt before it was damaged; which Certificate being produced to the Collector, he shall repay so much Money as the Sum certified shall amount to.

XI. *Seet.* 36. The Persons sustaining such Loss, or their Agents, shall give Notice thereof in Writing to the Collector of the Division next to the Quarter-Sessions, to which he intends to apply for such Allowance, or to the Solicitor of the Excise, of such Loss and Damage, and Intentions to apply to the said Justices or Commissioners, six Days at least before the Beginning of such Quarter-Sessions, or Application to such Commissioners; and shall apply for Relief within one Month after the Loss or Damage happening.

XII. *Seet.* 37. After any of the Justices or Commissioners shall have once ascertained such Loss or Damage, the same shall never after be examined into by any other of the Justices or Commissioners.

Militia.

I. *Stat.* 9 G. c. 8. *Seet.* 6. The Act 1 G. c. 14. For making the Militia of England more useful, &c. which is expired, shall be revived from 25 March 1723, for seven Years, and from thence to the End of the next Session of Parliament.

II. *Seet.* 7. The Lieutenants and their Deputies, in England, may appoint the Length and Size of Muskets for Foot-Soldiers in the Militia; and in Case of such Appointment, the Muskets so appointed shall be provided instead of those of 5 Foot long in the Barrel, and the Gage of the Bore for Bullets of 12 to the Pound; with such other Arms and Accoutrements as are directed by the said Act, under the Penalties therein mentioned.

Naval Stores.

I. Stat. 8 G. c. 12. *Seff.* 1. The Premium or Reward given by the Act 3 & 4 A. c. 10, and 12 A. *Seff.* 1. c. 9. of 6 d. for every Tun of Hemp Water-rotted, bright and clean, each Tun containing 20 Gross Hundreds and 6 Pounds, shall be continued from the Expiration of the said Act 12 A. for the Term of 16 Years, and from thence to the End of the next Session of Parliament; and shall be payable in the same Manner, and under the same Rules and Restrictions, as are prescribed by the former Acts: And all such Hemp, lawfully imported into this Kingdom after 24 June 1722, shall be free of all Duties and Customs whatsoever.

II. *Seff.* 3. On the Importation of any Hemp for which any Premium is given, the Pre-emption or Refusal thereof shall be offer'd to the Commissioners of his Majesty's Navy, or their Agents, upon Landing the same; and if within 20 Days after such Tender the Commissioners shall not contract for it, the Importer or Owner may otherwise dispose thereof.

III. *Seff.* 4. After 29 Sept. 1724, no Certificate shall be made out by any Officer of the Customs in any Port of this Kingdom, for any Tar imported from the Plantations in *America*, nor any Bill made out by the Commissioners of the Navy, to entitle the Importer of such Tar to any Premium, unless the Certificate of the Governor, Lieutenant-Governor, Collector of the Customs, and Naval Officer, or any two of them, (which Certificate is by 3 & 4 A. c. 10, directed to be made out by them) do express, That it has appeared to them by the Oath of the Owner or Maker of the Tar, (such Oath to be made before a Justice of Peace within the Colony where such Tar shall be made) That the Tar was made from green Trees prepared for that Purpose after the following Manner, *viz.* That when such Trees were fit to bark, the Bark thereof was stript eight Foot, or thereabouts, up from the Root of each Tree, a Slip of the Bark of about four Inches in Breadth having been left on one Side of each Tree; and that each Tree having been so barked had stood, during one Year at the least, and was not before cut down for the making of Tar.

IV. *Seff.* 5. For the Preservation of White Pine-Trees, for the Masting of the Royal Navy, It is enacted, That no Persons within the Colonies of *Nova Scotia*, *New-Hampshire*, the *Massachusetts Bay*, and Province of *Main Rhode-Island*,
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and Providence Plantation, the *Narraganset* Country, or *King's Province*, and *Connecticut* in *New-England*, and *New-York*, and *New-Jersey*, in *America*, shall cut, fell, or destroy any White Pine-Tree, not growing in any Township, or the Bounds thereof, without his Majesty's Licence, on Pain that every Person so offending, or aiding or assisting therein, or in drawing away the said Pine-Trees after they shall have been so cut, &c. shall, for every such Offence, forfeit, for every White Pine-Tree of the Growth of 12 Inches Diameter, and under, at 3 Foot from the Earth, 5 *l.* For every such Tree from 12 to 18 Inches, 10 *l.* from 18 to 24 Inches, 20 *l.* and from 24 and upwards, 50 *l.* Which Penalties shall be sued for within Six Months after the Offence, by Plaintiff or Information, on the Oath of one or more Witnesses, before the Judge of the Admiralty or his Deputy, within the Colony where such Pine-Tree shall be cut, &c. One Moiety to the Crown, the other to the Informer: And if any Dispute shall arise, Whether such Tree, when cut, &c. was growing within any Township, or its Bounds, the Proof shall lie on the Owner; and on Conviction of such Offender, if he shall neglect to pay the Penalty by the Space of 20 Days after such Conviction, such Judge, or his Deputy, shall, by Warrant under his Hand and Seal, cause the same to be levied by Distress and Sale of the Offender's Goods, rendring the Overplus to the Owner; and where no sufficient Distress can be found, such Judge, &c. shall commit the Offender to Prison, within the Colony where the Offence shall be committed, there to remain without Bail or Mainprize, during such Time as such Judge, &c. shall appoint, not exceeding 12 Months, nor less than 3, or till he shall pay the Penalty; and after such Payment he shall likewise find Security for his Good Behaviour for three Years, to be accounted from the Time of his Conviction. And it is hereby declared, That all White Pine-Trees, Masts or Logs made from such Trees, which after 21 Sept. 1722, shall be found cut or felled without such Licence, shall be forfeited and seized for the Use of the Crown.

V. *Seff.* 6. So much of the Act 9 *A. c.* 17, as relates to the cutting, felling or destroying such White Pine-Trees, and the Penalties to be incurred thereby, shall, after 21 Sept. 1722, be absolutely repealed.

VI. *Stat.* 9 *G. c.* 8. *Seff.* 3. The Act 1 *G. c.* 25, For Preserving the Stores belonging to his Majesty's Navy Royal, &c. as to so much thereof as is expired, shall be revived from 25 March 1723, and made perpetual. And if after 25 March 1723, any Person shall be convicted of having in his Custody any Timber, Thick Stuff, or Plank, marked with
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the Broad Arrow by Stamp, Brand, or otherwise; or of concealing any Timber, &c. so marked; he shall suffer and forfeit as for having, keeping, or concealing, any other warlike, naval, or Ordnance Stores, contrary to the Act 9 & 10 W. 3. c. 41.

VII. *Seff.* 4. Any Judge or Justice before whom any Offender shall be convicted of any the Crimes before-mentioned, may mitigate the Penalty as he shall see Cause, and commit the Offender so convicted to the Common Gaol of the County, or Place where the Offence shall be committed without Bail, till Payment of the Forfeiture imposed by this or the said former Act, or mitigated as aforesaid; or may punish such Offender corporally, by causing him to be publicly whipped, or committed to some publick Workhouse, to be kept to hard Labour for three Months, or a less Time, as to such Judge or Justice shall seem meet.

VIII. *Seff.* 5. Where any Dispute shall arise between the Persons on whose Informations any Person offending in the Premises, or against the said former Act, shall be prosecuted and convicted, touching the Right to any of the Forfeitures before mentioned, the Judge or Justice before whom the Offender shall be convicted, shall finally determine the same.

Norwich.

I. Stat. 9 G. c. 9. *Seff.* 1. All Persons who now are, or hereafter shall be Manufacturers or Makers of Stuffs made of Wool, or wherein there is any Mixture of Wool, and all Makers of Worsted into Yarn, who are not Journeymen or Servants for Hire, Master-Weavers, and Master-Woolcombers, and all Persons dealing, or employing Servants and Journeymen in any such Manufactures, or having any Interest, Share, or Partnership therein, living in *Norwich*, shall be made free, and admitted Freemen of that City, on their Request, to be made at any Court of Mayoralty, or Assembly of the Mayor, Sheriffs, Citizens and Commonalty, to be holden for the said City on or before the 24th of *June* 1723, paying only 21 Shillings for such Admission and Freedom: And all Persons who hereafter shall be such Manufacturers, and living there, being Foreigners, shall, on their Request to be made at any Assembly of the said Corporation, be admitted and made free of the said City, paying not exceeding 5 *l.* for such Admission and Freedom; and all Persons to be made free shall take the usual Oaths; or, being Quakers, shall take the solemn Affirmation.

II. *Seff.* 2. If any Person (except Servants and Apprentices during their Service) who now is, or hereafter shall be

be any such Manufacturer or Dealer, &c. shall, after the 24th of *June* 1723, presume to exercise any of the said Manufactures, or be otherwise interested therein, not being made free, and being convicted thereof, on a Prosecution commenced within six Months after the Fact committed, he shall forfeit 10 *l.* for every Kalendar Month he shall exercise any of the said Manufactures, or be concern'd therein, next after the third Quarterly Assembly of the said Corporation; to be recover'd by Action of Debt, &c. brought by the Chamberlain, for the Use of the Mayor, Sheriffs, Citizens and Commonalty of the City, in any Court of Record at *Westminster*.

III. *Seç.* 3. If any Person elected Sheriff of the said City, at any Court of Mayoralty to be holden in any Year between the 24th of *June* and the 10th of *August*, shall, within 14 Days after Notice in Writing given him of such Election, make Oath, or, being a Quaker, take his solemn Affirmation, That he is not worth 2000 *l.* his Debts being paid (which Oath or Affirmation the Mayor or any Justice of the Peace are impowered to administer, such Oath, &c. being made at, or transmitted to some Court of Mayoralty, to be holden within 14 Days after such Notice) he shall for that Time be excused the Office of Sheriff *gratis*: And 50 *l.* and no more, shall be paid as a Fine by any Person so elected, for not serving the Office of Sheriff, if such Person shall make or transmit, within the said Time, his Oath or Affirmation, that he is not worth 3000 *l.* his Debts being paid; and 80 *l.* and no more, shall be paid as a Fine, by any Person of greater Estate, for not serving the Office of Sheriff.

IV. *Seç.* 4. No Person, worth 2000 *l.* and upwards, shall be discharged from serving the Office of Sheriff, by the Court of Mayoralty, for any longer Time than one Year, without the Consent of the Mayor, &c. in Common Council assembled; and no Person, after 1 *May* 1723, shall be excused from bearing the said Office, unless he shall have been first elected, and have Notice thereof between 24 *June* and 10 *August* following.

V. *Seç.* 5. On every Election to be made of any Mayor, Sheriff, Alderman, or Common Council Man for the said City, the Mayor, or other Officer, presiding at such Election, in Case a Poll be demanded by any of the Candidates, or any three or more Electors, shall cause a regular Poll to be taken of the Voters, and shall appoint a convenient Number of Clerks to take the same, in the Presence of the Mayor or other presiding Officer, or such as he or they according to the Charter and Usage of the City, shall depute; and every Clerk shall be sworn indifferently to take the Poll, and to set down the Name of each Voter, with
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his Addition, and Place of Abode, and for whom he shall poll, and to poll no Elector who is not sworn according to the Direction of this Act; and every Person, before he is admitted to poll, shall take the following Oath, or, being a Quaker, shall solemnly affirm the Effect thereof, viz.

YOU shall Swear (or being a Quaker, You shall affirm) *That you are a Freeman of the City of Norwich (or in Case of an Election for an Alderman or Common Council-Man) That you are an Inhabitant in the Ward, for which such Election is made, and have not been polled at this Election.*

Which Oath or Affirmation the Mayor, or other presiding Officers, or his or their Deputies, or such sworn Clerks, as aforesaid, are authorized to administer; and at every such Election, upon closing the Poll, the Number of Voters in each Poll shall be publicly proclaimed; and if a Scrutiny shall, within 24 Hours after closing the Poll, be demanded, by any one of the Candidates, or by three or more of the voting Electors, it shall be proceeded in with Effect; and the Mayor, or other Officer, presiding at such Election, shall, within seven Days after Demand, deliver a true Copy of the Poll to the Persons requiring such Scrutiny, paying for writing the same, not exceeding 6 d. for the Names and Additions of 20 Voters; and such Scrutiny shall begin in 12 Days, and not in less than 10 Days after closing the Poll; and shall be publicly proceeded in at the Place of Election, or as near it as conveniently may be, without any unnecessary Delay.

VI. *Seft. 6.* The Mayor or other Officer presiding at any such Election, refusing to deliver Copies of the Poll, being demanded, or wilfully offending in the Premises, shall for every Offence contrary to this Act, forfeit 500 l. to the Party grieved, together with Costs of Suits, to be received by Action of Debt, to be brought within six Months after the Offence.

VII. *Seft. 7.* After 25 March 1723, on the Death or Removal of any Alderman, the Mayor or his Deputy shall within five Days at the longest, and no sooner than two Days, proceed to the Election of a new Alderman, first giving to the Freeman of the Ward for which the Election is to be made, 24 Hours Notice at least, before such Election shall begin.

VIII. *Seft. 8.* Nothing in this Act shall extend to the Limits of the Palace of the Bishop of *Norwich*, or the Precincts of the Cathedral Church of *Norwich*.

IX. *Seft. 9.* This Act shall in all Courts and Places be deemed a publick Act, and all Judges, Justices and others, are to take Notice thereof as such, without special pleading the same.

Wains

Pains and Penalties.

I. Stat. 9 G. c. 15. Sect. 1. *John Plunket* shall be detained and kept in close and safe Custody, without Bail or Mainprize, during the Pleasure of his Majesty, his Heirs and Successors, in any Gaol or Prison in *Great Britain*: To the Custody of the Gaoler or Keeper whereof, he shall from Time to Time be committed, in Pursuance of this Act, by Warrant under the Hand and Seal of any Secretary of State of his Majesty, his Heirs or Successors: Which Warrant any Secretary of State for the Time being is hereby authorized to make. And the said *John Plunket* shall forfeit to his Majesty all his Lands, Tenements, Hereditaments, Goods and Chattels whatsoever.

II. Sect. 2. If the said *John Plunket* shall break such Gaol or Prison, to which he shall be so committed, or shall escape out of the Custody of the Person in whose Custody he shall be by Virtue of such Commitment, He, and all Persons who shall be aiding or assisting him in breaking such Gaol, or in making such Escape, or who shall by Force rescue him out of such Custody, &c. being thereof lawfully convicted, shall be adjudged guilty of Felony, and shall suffer Death as in Case of Felony, without Benefit of Clergy.

III. Stat. 9 G. c. 16. An Act to inflict Pains and Penalties on *George Kelly* alias *Johnson*.

This Act is verbatim the same as the former, only that the Name of George Kelly alias Johnson, is used instead of John Plunket.

IV. Stat. 9 G. c. 17. Sect. 1. *Francis* Lord Bishop of *Rochester*, from and after the first Day of *June* 1723, shall be, and is hereby, to all Intents and Purposes, deprived of all his Offices, Dignities, Promotions, and Benefices Ecclesiastical whatsoever, and the same shall from thenceforth be actually void, as if he were naturally dead; and he shall from thenceforth for ever be disabled and render'd incapable of and from taking, holding or enjoying any Office, Dignity, Promotion, Benefice or Employment within this Realm, or any other his Majesty's Dominions; and also of and from using or exercising any Office, Function, Authority or Power Ecclesiastical or Spiritual whatsoever; and shall suffer perpetual Exile, and be for ever banish'd this Realm, and all other his Majesty's Dominions; and shall depart out of the same on or before 25 *June* 1723; and if

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he shall return into, or be found within this Realm, or any other his Majesty's Dominions, after the said 25 *June*, he, being thereof lawfully convicted, shall be adjudged guilty of Felony, and shall suffer and forfeit as in Cases of Felony, without Benefit of Clergy, and shall be utterly incapable of any Pardon from his Majesty, his Heirs or Successors.

V. *Seç.* 2. All Persons who after the said 25 *June* 1723, shall be aiding or assisting to the Return of the said *Francis* Lord Bishop of *Rocheſter*, into this Realm, or any other his Majesty's Dominions, or shall harbour or conceal him within the same, being thereof lawfully convicted, shall be adjudged guilty of Felony, and shall suffer and forfeit as in Cases of Felony without Benefit of Clergy.

VI. *Seç.* 3. If any of the Subjects of his Majesty, his Heirs or Successors, except such as shall be licenced for that Purpose under the Sign Manual, shall, after the said 25 *June* 1723, within this Realm or without, hold, entertain, or keep any Intelligence or Correspondence in Person, or by Letters, Messages, or otherwise, with the said *Francis* Lord Bishop of *Rocheſter*, or with any Person employed by him, knowing such Person to be so employed; the Person so offending, being thereof lawfully convicted, shall be adjudged guilty of Felony, and shall suffer and forfeit as in Cases of Felony, without Benefit of Clergy.

VII. *Seç.* 4. If any Offence against this Act be committed out of this Realm, the same may be laid and try'd in any County within *Great Britain*.

Papists and Nonjurors.

I. *Stat.* 9 *G. c.* 18. *Seç.* 1. The Sum of 100,000 *l.* shall be raised for the Use of the Publick, within the Space of one Year from 25 *March* 1723, on all Papists in *England*, *Wales*, or *Berwick*, who at the Time of the Execution of this Act, shall be of the full Age of 18 Years, or upwards, and shall be possessed in their own Names and Right, or in the Names of any others in Trust for them, of any real or personal Estate whatsoever; and the Estates of such Papists shall be liable to the Assessments to be made in Pursuance of this Act, whether their said real Estates be or be not register'd according to former Acts, in that Behalf, over and above the double Taxes to be paid by them, by Virtue of the Land-Tax Act of this Session, in Manner following, *viz.*

The

Papists and Nonjurors.

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	<i>l.</i>	<i>s.</i>	<i>d.</i>
The County and Town of Bedford	259	1	5
The County of Berks, with New-Windsor and the Castle there	1920	5	0
The County of Buck, with the Borough of Bucks, Borton, Borton Hold, Prebend-End, Gawcot, and Lendborow	1505	13	0
The County, University and Town of Cam- bridge, and Isle of Ely	170	12	2½
The County and City of Chester	1509	10	9
The County of Cornwall	371	6	1½
The County of Cumberland	873	8	0
The County of Derby	1748	0	6
The City of Exon	5	14	8½
The County of Devon	613	16	0
The County of Dorset and Town of Pool	1096	5	0
The County of Durham	3611	14	0
The West-Riding of York	5092	0	0
The North-Riding of York	5685	10	0
The East-Riding of York	2197	11	0
The City of York	231	19	4
The Town of Kingston upon Hull	15	19	6½
The County of Essex, with the Towns of Malden, Colchester, Harwich and Dover- Court	2391	18	0
The County and City of Gloucester	1910	15	0
The County with the City of Hereford, and Borough of Leominster	1446	2	0
The County of Hertford, with the Borough of St. Albans	342	7	6
The County and Town of Huntingdon	160	8	1½
The County of Kent, with the City of Can- terbury, Town and Liberty of Dover, Towns of Folkstone, Fordwich, Feversham, Tenterden, Town and Liberty of Sandwich, Town and Port of New-Rummey, Town of Lydd, Town and Port of Hythe, and West- bythe	1760	19	0
The County of Lancaster	7109	10	0
The County and Borough of Leicester	1946	9	0
The County and City of Lincoln	4654	6	6½
The City of London, with such of the Inns of Court and Chancery as are in London	572	18	0
The County of Middlesex, City and Liber- ty of Westminster, Palaces of Whitehall and St. James's, with such of the Inns of Courts and Chancery as are in Middlesex	4172	17	0
The County of Monmouth	1004	2	0

	l.	s.	d.
The City of <i>Norwich</i> —————	54	18	3½
The County of <i>Norfolk</i> , with the Boroughs of <i>Great Yarmouth</i> and <i>King's Lynn</i> , and so much of <i>Thetford</i> as lies in <i>Norfolk</i> }	3101	5	0
The County and Town of <i>Northampton</i> —————	3310	18	0
The Town of <i>Newcastle upon Tyne</i> —————	1	1	1
The Town of <i>Berwick upon Tweed</i> —————	4	9	7½
The County of <i>Northumberland</i> —————	5148	0	0
The Town of <i>Nottingham</i> —————	1	3	4½
<i>Southwell-Soke</i> —————	172	2	1¼
The rest of the County of <i>Nottingham</i> —————	2556	2	0
The County, University and City of <i>Oxon</i> —————	2986	19	0
The County of <i>Rutland</i> —————	10	11	8
The County of <i>Salop</i> , with the Town of <i>Ludlow</i> 2249	7	0	
The County of <i>Somerset</i> , Cities of <i>Bristol</i> , <i>Bath</i> and <i>Wells</i> , Borough of <i>Bridgwater</i> , with <i>Haygrove Tything</i> }	916	8	0
The County and Town of <i>Southampton</i> , and the <i>Isle of Wight</i> }	2057	4	0
The City of <i>Litchfield</i> —————	0	11	8
The County of <i>Stafford</i> —————	5247	0	0
The County of <i>Suffolk</i> , with the Towns of <i>Ips-</i> <i>wich</i> , <i>Bury St. Edmonds</i> , <i>Dunwich</i> , <i>Eye</i> , <i>Sudbu-</i> <i>ry</i> , and so much of <i>Thetford</i> as lies on <i>Suffolk</i> }	2603	11	0
The County of <i>Surrey</i> —————	908	11	0
The County of <i>Sussex</i> , with the Town and Port of <i>Hastings</i> , and Liberties thereof, the Liberties of <i>Seaford</i> and <i>Pevensey</i> , the Town and Port of <i>Rye</i> , and the Town of <i>Winchelsea</i> }	4477	2	0
The City of <i>Coventry</i> —————	120	13	5
The County of <i>Warwick</i> —————	3548	2	0
The City of <i>Worcester</i> —————	35	10	4
The County of <i>Worceste</i> —————	2450	9	0
The County of <i>Wilts</i> , with the City of <i>New</i> <i>Sarum</i> , and Close of the same, and <i>Cl-</i> <i>arendon Park</i> }	1359	6	0
The County of <i>Westmorland</i> —————	343	16	5
The County and Borough of <i>Brecon</i> —————	65	15	8½
The County of <i>Cardigan</i> —————	193	3	4
The County and Borough of <i>Carmarthen</i> —————	108	8	0
The County of <i>Carnarvon</i> —————	43	9	9
The County of <i>Denhigh</i> —————	206	12	0
The County of <i>Flint</i> —————	299	2	8
The County of <i>Glamorgan</i> —————	48	12	7½
The County of <i>Montgomery</i> —————	788	3	0
The County of <i>Radnor</i> —————	140	12	7¼

II. *Seç.* 2. The Commissioners appointed by one other Act of this Session, for raising a Land-Tax for the Service of the Year 1723, shall be Commissioners for putting this Act in Execution; and such Commissioners as are subdivided for the Service of each Hundred, Lathe, Wapentake, Rape, Ward, or other Division, pursuant to the said other Act, shall also be the Commissioners within every such Division for carrying on his Majesty's Service by this Act required and intended.

III. *Seç.* 3. The Commissioners at their first general Meeting shall direct their Precepts to the High Constables, or other proper Officers, within every Division, requiring them to enquire and inform themselves by the best Ways they can, what Papists or reputed Papists inhabit within every such Hundred, &c. and what Estate, real or personal, any Papist, or reputed Papist, or any in Trust for him, hath, or is reputed to have there; and what are the yearly or other Values, or reputed Values thereof; and to deliver to the Commissioners at a subsequent Meeting their Presentments on Oath, according to the best of their Knowledge; which Oath any two of the Commissioners have Power to administer. And the Commissioners are to meet together, at the most usual Places of Meeting within each of the Counties, Ridings, &c. for which they are appointed Commissioners, on or before 10 July 1723, for issuing their Precepts, and for doing such other Things in Execution of this Act, as are to be done at such general Meeting: And the Clerks of the Peace for every County, City, &c. shall, at the subsequent Meeting herein after directed, deliver to the Commissioners an Extract signed by the said Clerks, specifying the Names of the Papists who have register'd any Estates within the said Counties, &c. and expressing, in gross Sums, the yearly or other Values thereof: Which Presentments of the High Constables, or other proper Officers, and the Extracts so sign'd by the said Clerks, shall be in Writing, and in such Form, as may most conduce to the Information of the Commissioners at the subsequent Meetings: And if any High Constable or other Officer, shall refuse or neglect to make such Enquiry or Presentment, not being hinder'd by Sickness or other unavoidable Impediment, to be made out by the Oath of two Witnesses, and allowed by the Commissioners; or if any Clerk of the Peace shall refuse or neglect to prepare and deliver such Extracts, every such Constable or other Officer, and every such Clerk, for every such Neglect or Refusal, shall forfeit 100 l. to his Majesty, to be levied by Distress and Sale of the Offenders Goods in like Manner as any Fines, &c. are to be levied by Virtue of the Land-Tax Act.

IV. *Señ. 4.* The subsequent Meeting of the Commissioners shall be on 13 *August* 1723, at the most usual Places; and the Commissioners then present are required to set down in Writing the several Proportions which ought to be charged on the Papists in every Hundred, &c. towards making up the whole Sum by this Act charged on them.

V. *Señ. 5.* The Commissioners for every County at large shall, at such subsequent General Meeting, when they lay the Proportions upon Hundreds and Divisions, by the Presentments of the High Constables, and Extracts of the Clerks of the Peace, or by such other Means as to them shall seem reasonable, ascertain the Proportions to be laid on Papists within the Cities, Boroughs, Liberties, Towns and Places, which have no certain Sum prescribed by this Act to be raised on Papists within the same; and shall cause a Certificate thereof in Writing, under the Hands and Seals of two or more of them, to be forthwith transmitted to the Commissioners appointed by the Act for the Land-Tax, in such Cities, &c. who are to cause the said Proportions to be raised within the same, and paid as this Act directs.

VI. *Señ. 6.* The Commissioners shall, according to the best of their Judgments, cause the several Proportions, to be charged on Papists and their Estates, to be justly assessed.

VII. *Señ. 7.* Every Person, of 18 Years, or upwards, being in *England, Wales or Berwick*, who shall not have taken the Oaths prescribed by 1 G. c. 13, and on Summons from the Commissioners, shall refuse to take the same, or shall not appear before them, shall pay towards the said Sum, so much as shall bear Proportion to the Rates charged on Papists in the same Division: And any two of the Commissioners, in the respective Hundreds, &c. upon Information, or on any Cause of Suspicion, are to summon such suspected Person to appear to take the Oaths.

VIII. *Señ. 8.* Quakers making and subscribing the Declaration of Fidelity in 8 G. c. 6, shall not be liable to any of the Assessments on this Act.

IX. *Señ. 9.* Where any Assessors neglect their Duty, any two of the Commissioners may cause the Papists and other Persons not taking the Oaths, to be assessed according to the Meaning of this Act.

X. *Señ. 10.* All Papists and other Persons chargeable, and all their real and personal Estates, which they, or others in Trust for them, now have, or at the Time of the Execution of this Act shall have, shall be subject to the Assessments hereby charged on them.

XI. *Señ. 11.* If any Person, assessed towards the Proportions to be raised on Papists and others, shall, within six Days

Days after Demand made of the Sum so assessed, appear before the Commissioners, and take the Oaths aforesaid, and subscribe the Declaration 30 Car. 2. c. 1. he shall be wholly discharged and acquitted from the Tax hereby laid on his Estate; and so much as shall be so discharged, shall be deemed a Deficiency of the Aid hereby granted.

XII. *Seft.* 12. The Commissioners, on receiving from the Assessors the Copies of the distinct Assessments, shall sign and seal one distinct Duplicate thereof, and deliver the same to the Collectors, with their Warrant to collect the same Assessments; so that the several Sums may be paid to the Receiver General by the Times limited; and shall sign, seal and deliver another Duplicate in Parchment, containing the whole Sum assessed in each Parish or Place, to the Receiver General of each County, &c. and shall by 13 Sept. 1723, transmit a like Duplicate into the Remembrancer's Office, all Appeals to them being first determined.

XIII. *Seft.* 13. The first Half-yearly Payment shall be paid to the Receiver General by 29 Sept. 1723, and the last by 25 March 1724.

XIV. *Seft.* 14. The Rates and Duties hereby charged shall be assessed, levied, &c. by such Ways and Means, and in such Manner, and under such Penalties, &c. and subject to the like Powers of Appeal and Mitigation, and of making Reassessments, as by the Land-Tax for this Year are prescribed touching the raising the Aids thereby granted; and the Tenants of all Houses, Lands, &c. rated by this Act, shall pay the same, as the Landlords ought to pay or bear; and where any such Tenants shall appear to be Protestants, they may deduct out of their Rents the Rates so paid, and the Landlords shall allow the same, notwithstanding any Agreement between such Landlords and Tenants in relation to Taxes.

XV. *Seft.* 15. All the Powers, Directions, Penalties, &c. in the Land-Tax Act of this Session, touching the Assessing, Collecting, Levying by Distress, Commitment, or otherwise, shall be put in Execution for raising these Duties, as fully as if all such Powers, &c. were at large set forth in this Act.

XVI. *Seft.* 16. Every Receiver General, within one Month next after he shall have received the full Sum charged within any Division, (Deduction being made of Deficiencies allowed) shall give to the Commissioners acting in such Division, a Writing under his Hand and Seal, acknowledging the Receipt of the full Sum charged on the Papists and others within such Division, for such particular Payment; and when he shall have received the full Sum laid by this Act, he shall transmit within one Month after, a

Certificate thereof under his Hand and Seal written on Parchment, into the Remembrancer's Office in the Exchequer, who shall give a Receipt for every such Certificate; and if such Receiver shall neglect to transmit such Certificate; or if the Remembrancer, upon receiving such Certificate, shall refuse to sign and deliver a Receipt, they shall respectively forfeit to the King 20*l.* and be liable to pay double Damages to any Person grieved thereby, with full Costs of Suit.

XVII. *Seff.* 17. If the full Sum laid by this Act on Papists, within any of the Counties, &c. charged, as above, with a particular Sum (Deduction being made for Deficiencies, as aforesaid) be duly paid to the Receiver General, the same shall go in Lieu of the two Third Parts of the Profits of all the Estates of the Popish Recusants Convict, or not Convict, which were register'd upon a former Act in that Behalf, growing due to his Majesty for one Year from 25 *March* 1723; and in Lieu of all Arrears thereof; and in Discharge of all pecuniary Penalties to which any Person shall be liable before 25 *March* 1723, as a Popish Recusant, or by reason of his Recusancy, or of all Forfeitures, for that such Papists did not take the Oaths, or subscribe the Declaration, according to the said Acts of the first Year of the King, or register their Estates within the Times thereby limited; and the Prosecution of all Actions already commenced for any such Forfeitures, in which Judgment shall not be given before the first Day of *Easter* Term 1723, shall cease, and the Penalties for which any such was commenced, are hereby discharged; and in Case of such Payment to the Receiver, no Remedy shall be used by issuing Process, or otherwise, for levying the said two Third Parts of the Profits, and the Penalties hereby intended to be discharged.

XVIII. *Seff.* 18. The Treasury shall allow, out of the Monies arising by this Act, to the Receivers General, a Salary not exceeding Two Pence in the Pound, for so much as they shall pay into the Exchequer, on clearing their Accounts.

XIX. *Seff.* 19. The Collectors, on Payment of the Money collected by them to the Receiver General, shall have three Pence in the Pound, which they may detain out of the last Payment: And the said Receivers, on Receipt of the whole Assessment in any County, &c. (such Deficiencies, as aforesaid, being deducted) in Case they shall have received the several Duplicates, and that such Duplicates and Certificates shall be delivered, and transmitted as aforesaid, and not otherwise, shall allow, according to such Warrant as shall be given in that Behalf, by any two of the Commissioners,

missioners, three Half-pence in the Pound to the Commissioners Clerks, for their Pains in writing the Assessments, Copies, &c. and all Orders, Warrants, &c. relating to the Monies hereby to be raised: And the Treasury, out of the Monies hereby arising, may cause Payment to be made to such Clerks of the Peace, as shall have prepared such Extracts from the Registers, as are hereby required, a Sum not exceeding two Pence for every 200 Words contained in such Extracts; and to the several High Constables, or other, proper Officers, who shall duly make their Presentments, a Reward for themselves and their Clerks, not exceeding two Pence for every 200 Words contain'd in such Presentments.

XX. *Sect. 20.* If it shall appear to the Commissioners, by Examination of two Witnesses on Oath, That any Lands, &c. which are register'd, shall really be vested in Protestants, either by Means of the Person registering, having taken the Oaths, or of his Death, or by any Alienation, made before 25 Dec. 1722, or shall become vested in any Infant under 18 Years of Age, and what is the yearly Value of such Lands, &c. in every such Case any two of the Commissioners are to make a Certificate thereof under their Hands and Seals, and transmit the same into the Office of the Remembrance of the Exchequer; and thereupon such Proportion of the Sum charged on the Place where such Lands, &c. lie, shall not be levied, but shall be discharged; and so much as shall be so discharged, shall be deemed a Deficiency of the Aid hereby granted.

XXI. *Sect. 21.* If any Lands, &c. liable to any Rent-Charge, Annuity, Fee-Farm Rents, or other yearly Payments to any Person, liable to be charged with the Rate, by Virtue of this Act, shall by the Commissioners be charged with such Rate, as clear of such Rents, it shall be lawful for the Persons whose Lands, &c. are so taxed, to keep in their own Hands out of every such annual Rent, so much as by a like Rate for every such annual Rent shall, by a just Proportion, amount to; notwithstanding any Covenant that the said Rents shall be free from Parliamentary Taxes.

XXII. *Sect. 22.* If it shall appear to any two of the Commissioners by Inspection of the Registers of the County, and Examination of two Witnesses on Oath, That any Jointure, Annuity, or Rent-Charge, issuing out of any Estate register'd, or liable to the Aid hereby granted, is register'd as a real Estate or annual Rent; and is computed as a separate and distinct Estate in the Sum Total of the Annual Value of the Estates of Papists, register'd in such County, then any two of the Commissioners are to make

a Certificate thereof in Writing under their Hands and Seals, and transmit the same into the Remembrancer's Office; and thereupon such Part of the Sum by this Act chargeable on the City, Borough, &c. in which the Lands, &c. out of which the Jointure, &c. shall issue, respectively lie, shall not be levied, but shall be wholly discharged; and so much as shall be so discharged shall be deemed a Deficiency of the Aid hereby granted.

XXIII. *Seff. 23.* This Act shall not charge any Fee-Farm Rents, Annuities, or other Estate Real or Personal, which the *Pendvills*, (*and others related to them, whose Names see in the Act*) or any in Trust for them, were possessed of on 1 Oct. 1722; but they and their Estates shall be free from the Tax hereby imposed, in Regard to the Fidelity and eminent Services of their Ancestors, in the Preservation of King *Charles II.* and their own constant, loyal, and dutiful Obedience to his present Majesty.

XXIV. *Seff. 24.* Any two of the Commissioners are to make Certificates of the said Persons Estates, and transmit them into the Remembrancer's Office; and thereupon such Proportion of the Sum hereby chargeable shall not be levied, but is hereby discharged; and so much as shall be so discharged shall be deemed a Deficiency.

The remaining Part of this Act is a Clause of Loan for any Sum not exceeding 100,000 l. with Interest at 3 l. per Cent. &c. and if there be no Loans by 29 Sept. 1723, or if the Loans shall not amount to 100,000 l. then the Treasury may, before 24 March 1723, prepare new Exchequer-Bills, not exceeding 100,000 l. together with the Loans made on this Act: The Bills to bear Interest at 2 d. per Cent. per Diem, &c. with the usual Clauses in all Acts for making forth and circulating Exchequer-Bills; for which the Reader is referred to Tit. Exchequer-Bills. Par. XIV. &c.

XXV. *Stat. 9 G. c. 24. Seff. 1.* All Persons in England, Wales, and Berwick, of the Age of 18 Years, not having already taken the Oaths appointed by 1 G. c. 13, and who shall neglect or refuse to take the same by 25 Dec. 1723, in any Court of Record at *Westminster*, or at the Quarter-Sessions for the County, &c. where they live, shall by 25 Mar. 1724, register their Names and real Estates in such Manner as Papists were obliged to do by the Act 1 G. c. 55, to oblige Papists to register their Names and real Estates, and by 3 G. cap. 18, for explaining the said Act; and the Officers appointed by those Acts to take the Registers of the Names and real Estates of Papists, are required to take the Registers of the Names and real Estates, which are by this Act appointed to be register'd, in the same Manner as by the

the said A&ts is prescribed in Relation to Papists; and shall sign and return true Copies of the same into the Court of Exchequer, by 29 Sept. 1724.

XXVI. *Se&t.* 2. Every Thing in the said A&ts, relating to the registering the Names and real Estates of Papists, or to taking the said Registers, &c. shall extend to all the Registers, required to be made in Pursuance of this A&t.

XXVII. *Se&t.* 3. All Papists, and other Persons in *Scotland*, of the Age of 18 Years, who have not already taken and subscribed the Oaths, &c. in 1 G. c. 13, and who shall refuse to take them by 25 March 1724, in the Court of the Lords of Session, or that of Justiciary, or the Exchequer in *Scotland*, or the Quarter-Sessions for the County, &c. where they live, or before Sheriffs or Stewards, or their Deputies, in open Court held for such Shire, Stewarty, &c. where they inhabit, shall by 24 June 1724, register their Names and real Estates in the Sheriff's Court, of such Shire or County where their Estates lie, in the same Manner as Papists in *England* were obliged to do by the said A&t 1 G. c. 55, and 3 G. c. 18: And the Sheriffs or their Deputies, are to receive such Registrations, and keep such Books, and make such Entries, as the Clerks of the Peace of the Counties in *England* are by the said A&t 1 G. directed to keep and make; and shall sign and return true Copies of such Registrations into the Exchequer in *Scotland* by 24 Dec. 1724.

XXVIII. *Se&t.* 4. Every Article and Thing in the last mentioned A&t, relating to the receiving and entring the Registers of the Names and real Estates of Papists, and the examining on Oath, or otherwise, into the Truth of the same, shall extend to all and every the Registrations, required to be made in *Scotland* by this A&t; and shall give the same Powers and Directions to Sheriffs and Sheriffs Deputies, as by the said A&t are given to Justices in their Quarter-Sessions, and Clerks of the Peace of the Counties in *England*, in as ample Manner as if the same were herein particularly re-enacted.

XXIX. *Se&t.* 5. If any Person hereby required to take the Oaths, &c. or for Want thereof to register his Name and real Estate, shall neglect to do the same within the Times hereby appointed, he shall forfeit the Fee-simple and Inheritance of, or such Estate and Interest in all such Lands, &c. not register'd, whereof he, or any in Trust for him, was seized, or otherwise interested in, at the Time of such Default; two Thirds to the King, and the other Third to such Person, being a Protestant, who shall sue for such forfeited Lands, &c. as shall lie in *England*, *Wales*, or *Berwick*, in any such Court, and by such Ways as are directed by the recited A&t, to oblige Papists to register their Names, &c. and shall sue

in the Court of Exchequer in *Scotland*, for such forfeited Lands, &c. as shall be in *Scotland*. Repealed by 10 G. c. 4. *Vide infra* Par. XLIV.

XXX. *Se&. 6.* This A& shall not extend to Persons beyond the Seas; so as they do, within six Months after their Return, take the Oaths, &c. or make such Registry, according to the Appointment of this A&.

XXXI. *Se&. 7.* If any Persons, being Protestants, in *Scotland*, having taken, or shall take, within the Times limited by this A&, the Oath appointed to be taken by Ministers and Preachers in *Scotland*, by the A& 5 G. c. 29, in Lieu of the Abjuration-Oath, they shall be deemed to have complied with the Meaning of this A&, and shall not incur any Penalties hereby inflicted, or be obliged to register their Names or real Estates.

XXXII. *Se&. 8.* All Papists and reputed Papists in *Scotland*, shall at the Time of taking the Oaths, &c. make and subscribe the *Formula*, at the Times before directed, as recited in an A& of Parliament of *Scotland*, passed in the Year 1700, Intituled, *An A& for preventing the Growth of Popery*; and on Refusal shall be obliged to register, &c. *Vide post* Par. XLVI.

XXXIII. *Se&. 9.* For taking and subscribing the Oaths and Assurance, 3 *d.* shall be paid; and for every Certificate thereof, 1 *s.* and no more. *Vide post* Par. XLVII.

XXXIV. *Stat. 10 G. c. 4. Se&. 1.* Enacted and declared, that nothing in the recited A&, (9 G. c. 24.) shall be construed to extend to oblige any Woman whatsoever to take the Oaths, &c. or to register her Name or real Estate; nor to any Person, who had only an Estate or Interest in Lands, Tenements, &c. in Reversion or Remainder, expectant upon the Determination of any Estate-Tail, or for Life or Years, (where no Rent was reserved on such Estate for Life or Years) or who had only an Estate or Interest in Lands, &c. as Mortgages, or by Way of Security for Money; or Relief of any Engagement, or by Warrant, not being in the actual Possession thereof; or who had only an Estate in Trust for others, and not for their own Use; or who had only an Estate in Lands, &c. as Tenants or Farmers, by Lease, whereupon two Thirds of the yearly Value, or more, were reserv'd; or who had not, at some Time between 27 *May*, and 28 *Dec.* 1723, any Lands or Hereditaments of the clear yearly Value of 10 *l.* over and above all Reprizes; or who had before 27 *May* 1723, taken the Oaths in either House of Parliament, or in any Court at *Westminster*, or at any Quarter-Sessions, or in the Court of Session, Justiciary, or Exchequer in *Scotland*, or at any Quarter-Sessions of the Peace, or before any

any Sheriffs or Stewards, or their Deputies, in open Court held for some Shire, Stewarty, &c. or as a Justice of the Peace, or Magistrate, or Town-Counsellor of any Royal Borough, or Voter for a Representative in Parliament for any County or Place in *Scotland*: But every such Person is indemnify'd from all Penalties and Forfeitures for not taking the said Oaths, or not registering his Name and real Estate.

XXXV. *Seff.* 2. All Persons, who by the true Meaning of the said Act, according to the before-mentioned Declaration, were required to take the Oaths &c. not having taken them, shall take the said Oaths, &c. in some of the Courts or Places, where the same were appointed to be taken by the said Act, or in such Court or Place, and in such Manner, as is by this Act directed, on or before 28 Nov. 1724, and thereupon shall be discharged from any Obligation to register their Names and real Estates; and in Default of taking the said Oaths shall, by 24 June 1725, register their Names, and Lands, &c. whereof they, or any in Trust for them, shall be in Possession in *Great Britain*, in such Courts and Places, and in such Manner, as herein after directed.

XXXVI. *Seff.* 3. Every such Register shall set forth in what Parish or Place, such Lands and Hereditaments, or any Part thereof, do lie, and who are the Possessors thereof, and what Estate or Interest he, whose Name shall be register'd, hath in the same, and the yearly Rent reserved to him for the same, (if lett) and if lett by Lease for a certain Term, then to whom such Lease was made, and what yearly or other Rent is reserved thereon, and what Fine was paid for such Lease, in Case the same was made by the Person making such Registry, or any in Trust for him, or that he was Party thereto, and the Time and Day of the Month and Year when such Registry shall be made: Which Registry shall be enter'd in a Parchment Book or Roll, and kept by the Clerk of the Peace for every County, &c. where such Lands, &c. lie in *England, Wales, or Berwick*, and in *Scotland* by the Sheriff, or Sheriff's Deputy, or by the Keeper of the General Registry of Sessions at *Edinburgh*.

XXXVII. *Seff.* 4. Every Person whose Name shall be register'd, is to take Care that his Name be, within the Time hereby allow'd for making such Registry, subscribed to such Registry in the Books or Rolls at the General Quarter-Sessions, in Presence of two Justices for the County, &c. if such Registry be made in *England, &c.* and if in *Scotland*, before the Sheriff, or Sheriff's Deputy, or the Keeper of the General Registry of the Sessions at *Edinburgh*, by himself, whose Name and Estate shall be so register'd, or by his Attorney lawfully authorized by Letter of Attorney, executed in Presence of two Witnesses, one of which

at least shall make Proof of such Execution on Oath, in the Court or Place where such Name shall be subscribed, or Registry produced; and the Justices at the Quarter-Sessions, Sheriffs, Sheriffs Deputies, and the Keeper of the General Registry, are to examine such Witnesses on Oath; and two of the Justices, or such Sheriff, or Sheriff's Deputy, or the General Register of Sessions, shall subscribe their Names to every such Entry, as Witnesses that the same was duly made; and in Default, each of the Justices, &c. shall forfeit 20*l.* to the King.

XXXVIII. *Stat. 5.* Every Clerk of the Peace, Sheriff, or Sheriff's Deputy, is to keep Parchment Books or Rolls, at some notorious Place where they shall act; and the Keeper of the general Registry, in his publick Office at *Edinburgh*; and all such Officers shall there register the Christian and Surnames of all who come in Person, and desire to be register'd; or shall send in Writing, under their Hands, to such Officers, desiring them to register their Names; and shall also register the Estates in Lands, &c. of every such Person in such Manner and Words as they shall desire such Officer to register the same: The Person desiring such Registry to be made, shall pay to such Officers the Fees hereby appointed, and shall apply to him, and deliver to him in Writing the Words he desires to have register'd, ten Days at least before the Quarter-Sessions, or Sheriffs Court, where the Entries thereof are to be subscribed: And such Officer is to enter such Person's Name, and Registry of his Estate before the next Quarter-Sessions, or Sheriff's Court; or in Case of such Registry in the general Registry of Sessions, within ten Days after such Delivery: And every such Clerk of the Peace, Sheriff, or Sheriff's Deputy, shall carry the Books or Rolls to the next, and every other Quarter-Sessions, or Sheriff's Court, till the Time of subscribing shall be expired, that the Persons registering, or their Attornies, may have an Opportunity to come and subscribe their Names to the same: And every Clerk of the Peace, Sheriff, and the Keeper of the general Registry, shall keep alphabetical Tables of the Surnames of all Persons whose Names and Estates shall be register'd, and of the Parishes and Townships where the Lands lie, with Reference to the Books or Rolls where such Lands shall be register'd; and shall carefully keep all Letters of Attorney on a File, and enter such Letters of Attorney on Record; and shall have a Fee of 3*d.* and no more for every 200 Words in such Registry on Record, to be paid by the Person registering; and shall have 4*d.* for every Search, and shall permit any Persons paying the Fees, to make such Search, and to inspect the Tables, Books and Rolls, and the Letters of Attorney so filed; and shall

shall give Copies of such Registries, subscribed by himself or his Deputy, to all desiring them, and tendering him the Fees; and shall suffer such Persons to examine the same with the Rolls or Books; and shall take a Fee of 3*d.* for every 200 Words contain'd in every Copy, and no more: And if any Clerk of the Peace, Sheriff, Sheriff's Deputy, or Keeper of the general Registry of Sessions, shall not do any of the Matters or Things hereby appointed, he shall forfeit his Office, and 100*l.* to the Party grieved; to be recover'd by Action of Debt, &c. in any Court of Record at *Westminster*, if such Offence be committed in *England*, &c. and if in *Scotland*, in the Court of Exchequer there.

XXXIX. *Seç.* 6. Where any Manor, Demesne-Lands, or entire Farm, shall lie in more Counties than one, the Registering thereof in the County only, where the Manor-House, or the House to the Farm or Lands do lie, shall be sufficient; it being expressed that the same extend into such other County.

XL. *Seç.* 7. The Clerks of the Peace shall, before 29 *Sept.* 1725, sign and return the Copies of such Registries made in *England*, &c. into the Office of the King's Remembrancer of the Exchequer at *Westminster*, there to be kept; and the Keeper of the general Registry at *Edinburgh*, the several Sheriffs, or Sheriffs Deputies, shall, before the said 29 *Sept.* sign and return true Copies of such Registries made in *Scotland*, into the Office of the King's Remembrancer of the Exchequer in *Scotland*, to be kept there.

XLI. *Seç.* 8. If any Person who by the Meaning of the recited Act, according to the Declaration before mentioned, was required to take the Oaths, &c. not having taken the same, shall neglect to take them, and shall not register his Name, Lands, Tenements, &c. in such Courts and Places, in such Manner, and within such Time, as are herein appointed and limited, he shall forfeit the full Value of one Year's Rents and Profits of all such Lands, &c. not register'd; two Thirds to the Crown, the other Third to the Prosecutor.

XLII. *Seç.* 9. If any Person hereby required to take the Oaths, &c. shall, on 21 *April* 1724, be in Prison, or beyond the Seas, or *Non compos Mentis*, or absolutely disabled by Sickness, or other Infirmary, from resorting to a proper Court to take the Oaths, &c. and shall so continue till 1 *Nov.* 1724; then if such Person shall take the Oaths, &c. within six Months after such Disability removed, or register his Name, Lands, &c. he shall be adjudged to have complied with this Act, and shall be absolutely indemnify'd from all Forfeitures thereby inflicted. And this Act shall not extend

tend to oblige any Person to take the Oaths, &c. who, on 20 Apr. 1724, shall be seventy Years of Age or upwards.

XLIII. *Seff.* 10. No Action or Suit for any Forfeiture for not taking the Oaths, &c. shall be commenced after the the Space of six Months from the Time of the Offence committed.

XLIV. *Seff.* 11. So much of the recited Act as inflicts any Loss of the Fee-Simple, or Inheritance of any Estate or Interest in Lands, &c. for not taking the Oaths, &c. is hereby repealed and made void.

XLV. *Seff.* 12. All Quakers, who have heretofore, or shall, in any of the said Courts or Places, within the Times hereby before limited, make and subscribe the Declaration of Fidelity, and take the Effect of the Abjuration-Oath, appointed by 8 G. c. 6, shall be deemed to have comply'd with the Intent of the said former Act, and of this Act.

XLVI. *Seff.* 13. All Papists, and reputed Papists in *Scotland*, shall, if required, at the Time of taking the Oaths, &c. make and subscribe the *Formula*, as it is recited in an Act of *Scotland*, pass'd in the Year 1700; and on Neglect or Refusal, shall be obliged to register their Names, Lands, &c. or in Default, shall be liable to the like Forfeitures, as are by this Act inflicted on such Persons, as shall not take the Oaths, &c. or not make such Registry, as aforesaid.

XLVII. *Seff.* 14. For taking the Oaths, &c. 3*d.* shall be paid; and for a Certificate thereof, if required, 6*d.* and no more.

XLVIII. *Seff.* 15. On any Trial to be had in any Suit, commenced for any Forfeiture for not taking the Oaths, &c. a Certificate under the Hand of the proper Officer shall be allow'd as Evidence of the Defendant's having taken the Oaths, &c.

XLIX. *Seff.* 16. If any Officer shall knowingly give or sign a false Certificate of any Person's having taken the said Oaths, &c. or if any Person shall forge, raze, alter or counterfeit any such Certificate, or shall personate any other Person, or procure any one to personate another, in taking the said Oaths, &c. every Officer so offending shall forfeit his Office, and 100*l.* one Moiety to the Crown, the other to the Prosecutor; and every Person offending in any other of the Premises shall incur such Penalties and Forfeitures as Persons convicted of wilful Perjury are liable to, if such Offence be committed in *England*; and if in *Scotland*, the Offender shall incur the Penalties, &c. as Persons convicted of wilful Perjury, are by the Laws of *Scotland* liable unto: And in every such Case of a false Certificate, or of personating another Person in taking the Oaths, &c. the Certificate and the Record thereof shall be void. Provided that if
any

any Person hath already register'd his Estate, in Pursuance of the recited Act, who is hereby excused from registering, he may withdraw such Register; and the Clerks of the Peace, and other Officers, with whom such Registers are lodg'd, are, at the Request of the Party, to discharge and vacate the same.

L. Sect. 17. Whenever any *Jew* shall present himself to take the Oath of Abjuration, in Pursuance of the recited, or of this present Act, the Words (*upon the true Faith of a Christian*) shall be omitted out of the said Oath in administering it to such Persons; and the Taking the said Oath by Persons professing the *Jewish* Religion, without the said Words, in like Manner as *Jews* are admitted to give Evidence in Courts of Justice, shall be deemed a sufficient Taking of the Abjuration-Oath.

LI. Sect. 18. Every Deed and Will made since 29 Sept. 1717, in Order to pass, alter or change any Manors, Lands, &c. from any Papist, tho' not enroll'd, shall be as good and effectual in Law, as the same would have been, in Case the said Deeds and Wills had been enrolled within the Time limited by the Act 3 G. c. 18, for Inrollment thereof: Provided, the same Deeds and Wills shall be enrolled by 29 Sept. 1724, in such Manner as by a Clause in the said Act is directed. And all Leases made by Papists to any Protestant, of any Lands, &c. since 29 Sept. 1717, or hereafter to be made, whereon the full yearly Value thereof, or the antient or most accustomed yearly Rent, or more, have been, or shall be reserved, shall be as good and effectual in the Law, though the same have not been, or shall not be hereafter enrolled, as the same would have been, if the said Clause in the said Act had never been made. Provided, That nothing herein shall extend to make good any such Deed, Will, or Lease already made, and not inrolled, of the want of Inrollment whereof, Advantage shall have been taken by Action or Suit commenced, or lawful Entry made, on or before 6 March 1723: But every such Deed, Will, and Lease, shall remain of such Force only, as the same would have had, in Case this Act had never been made.

Pardon.

I. Stat. 7. G. c. 29. Sect. 1. All his Majesty's Subjects, as well Spiritual as Temporal, of Great Britain, their Heirs, Successors, Executors, &c. and all Bodies Politick and Corporate, all Cities, Boroughs, &c. shall be, by Authority of this Parliament, acquitted, pardoned, and discharged

omitted. 103.

charged of and from all Treasons, Misprisions of Treasons, Felonies, treasonable or seditious Words or Libels, Leasing-making, Misprisions of Felony, seditious and unlawful Meetings and Conventicles, and all Offences whereby any Person may be charged with the Danger and Penalty of *Premunire*; and of and from all Riots, Routs, Offences, Contempts, Trespasses, Entries, Wrongs, Deceits, Misdemeanors, Forfeitures, Penalties, and Sums of Money, Pains of Death, Pains Corporal, and Pains Pecuniary; and generally of and from all other Things, Causes, Quarrels, Suits, Judgments, and Executions, in this Act hereafter not excepted or foreprized, which may or can be by his Majesty in any wise pardoned, and have been done, omitted, incurred, forfeited, &c. before 24 July 1721.

II. *Seçt.* 2. This his Majesty's Pardon shall be as effectual in Law to every of his said Subjects, for all Offences not particularly excepted, as it would have been, if all such Offences, &c. had been particularly named in this Act, and pardoned by express Words; and his said Subjects shall not be sued or disquieted in their Bodies, Goods, Lands, &c. for any Matter or Thing done or omitted before 24 July 1721, against the Crown or the Laws of this Realm, but only for such Causes, Matters, and Offences, as be excepted in this Act.

III. *Seçt.* 3. The King's Majesty doth grant to every of his Subjects, all Goods, &c. by any of them forfeited, by Reason of any Offence, &c. done before 24 July 1721.

IV. *Seçt.* 4. Provided, That all Grants thereof, made by any such as have forfeited, and are hereby restored; and all Executions thereof, had against any such, after such Forfeiture committed, shall be of such Force, as if no such Forfeiture had been made.

V. *Seçt.* 5. All his Majesty's Subjects, and Bodies Corporate, &c. may, by themselves, their Deputies, or Attornies, plead this Act of free Pardon for their Discharge, without any Fee for writing or entring of the Judgments or other Cause concerning such Plea, but only 16 *d.* to the Clerk, who shall enter such Plea.

VI. *Seçt.* 6. This Free Pardon shall be expounded and taken in all Courts, most beneficial and available to the Subjects.

Excepted out of this Act, viz.

VII. *Seçt.* 7. All Persons being, on the said 24 July, in the Service of the Person, who, since the Death of the late King James, has taken upon himself the Style or Title of King of England; or of Great Britain.

VIII. *Seçt.* 8. All Persons who levied the War against his Majesty, which began in this Realm in 1715, who have been since

since beyond the Seas, and have, before the said 24 July, return'd into Great Britain or Ireland, without his Majesty's Licence; or shall, on or after the said 24 July, return into either of the said Kingdoms without such Licence.

IX. *Seff.* 9. All Treasons against the Act 13 W. 3. c. 3. For the Attainder of the pretended Prince of Wales of High Treason; or contrary to the Act 3 A. c. 14. To prevent all traitercous Correspondence with her Majesty's Enemies.

X. *Seff.* 10. All Offences of Counterfeiting the Great Seal, Privy Seal, Sign Manual or Privy Signet; the Seal kept and made Use of in Scotland in Things relating to private Rights or Grants; the Privy Seal or Signet in Scotland: All Offences of counterfeiting, clipping, working, scaling, lighting, impairing, or other unlawful diminishing the current Money of this Realm, or in making or mending any Tool for Coining; and bringing into this Realm any false or counterfeit Money, knowing the same to be so counterfeit, and uttering any such Money; and all Misprisions and Concealments, and all abetting, aiding and procuring of the same Offences.

XI. *Seff.* 11. All Violations of the Privileges of Ambassadors, &c.

XII. *Seff.* 12. All Voluntary Murthers, Petty Treasons, wilful Poisonings, Slaughters of fore-thought Felony; all wilful Burning of Houses, or Stacks of Corn, or Barns with Corn in them, and all Accessories to any of the same Offences.

XIII. *Seff.* 13. All Piraces and Robberies on the Seas, and all Procuring or abetting such Offenders, and comforting and receiving of them, or of any Goods taken by Way of Piracy, &c.

XIV. *Seff.* 14. All Offences in deserting his Majesty's Service in the Army, committed against any Acts made since his Majesty's happy Accession, intituled, *An Act for preventing Mutiny and Desertion*, &c. or against an Act of this Session, *For punishing Mutiny and Desertion*, &c. other than such Offenders, who shall, by 10 Off. next, return to the Regiment, Troop, or Company to which they did belong.

XV. *Seff.* 15. All Burglaries, and Robberies of Churches; and in or near the Highway.

XVI. *Seff.* 16. Sodomy and Buggery.

XVII. *Seff.* 17. Rapes and carnal Ravishments of Women.

XVIII. *Seff.* 18. All Offences of Perjury and Subornation, and Forging, and Solicitation of Forging any Fines, or other Records, Deeds, Wills, or Writings whatsoever; or publishing, or making Use in Evidence of any such, knowing the same to be forged.

XIX. *Señ. 19.* Forging Exchequer-Bills, and tendring in Payment such forged Bill, or demanding Money thereon at the Exchequer, or elsewhere, (knowing the same to be forged) Forging the Common Seal of the Bank of England, or any sealed Bank-Bill, or any Bank-Note whatsoever, or altering or razing any Indorsement on any such Bill or Note.

XX. *Señ. 20.* Counterfeiting Seamens Tickets, and publishing as true ones forged Tickets, knowing them to be so.

XXI. *Señ. 21.* All Offences against the Act 25 Car. 2. c. 2. *For preventing Dangers which may happen from Popish Recusants;* and against the Act 30 Car. 2. c. 1. *For the more effectual Preserving the King's Person and Government, by disabling Papists from sitting in either House of Parliament.*

XXII. *Señ. 22.* All Offences against the Act 13 W. 3. c. 6. *For the further Security of his Majesty's Person, &c.* and against 1 A. c. 22. *To declare the Alterations in the Oath appointed to be taken by the said Act 13 W. 3. and against the Act 1 G. c. 13. For the further Security of his Majesty's Person and Government, &c.* and all Forfeitures, &c. to which any Person is liable by Reason of offences against any of the said Acts.

XXIII. *Señ. 23.* All Offences (not being capital) done contrary to any Act of Parliament (other than using any Trade by a Person not having been brought up therein seven Years, as an Apprentice) or contrary to the Laws of this Realm, for which any Action, or other Prosecution, at any Time within two Years next before the last Day of *Trinity-Term* 1721, hath been, or shall be found, commenced or sued, and on the said last Day of *Trinity-Term* depending, on which no Outlawry, Verdict, Conviction, Judgment, or Decree, shall on 24 July 1721, be had or obtain'd, and which have been prosecuted at the Charge of any private Person, unless the Defendant shall pay to such private Prosecutor, such Costs of Suit as the Court shall award.

XXIV. *Señ. 24.* And also all Offences, contrary to any Act of Parliament (other than using a Trade without having served as an Apprentice) for which any Person hath been or shall be so far prosecuted, that on or before the 1st Day of *Michaelmas-Term*, 1721, any Verdict shall be obtain'd, or any Outlawry, Conviction, Judgment by Default, or other Judgment, Sentence, or Decree, given or enter'd in any Court, or before any Commissioners of his Majesty within this Realm, or by the Commissioners of Excise, or Justices of Peace:

XXV. *Señ. 25.* If any Person shall have committed Treason in the Rebellion in 1715, who at the Time of such Treason or since, was possessed of any Civil Office for Life, or for any Estate of Inheritance granted by his Majesty or any of his Predecessors, or claim'd under such Grant, or of
any

any Office in any City, &c. and shall claim to have such Office, it shall be lawful to proceed against him for the said High Treason, as if this Act had not been made.

XXVI. *Señ.* 26. Every Person of the Name and Clan of *Mac Gregour*, mention'd in an Act made in Scotland, in the first Parliament of *Charles I.* Intituled, *Anent the Clan Gregour.*

XXVII. *Señ.* 27. All Offences concerning Highways or Bridges, and all Indictments and other Proceedings thereon, and all Issues return'd on any Process concerning the same.

XXVIII. *Señ.* 28. All Offences in taking away, imbezilling, or purloining the King's Goods, Munitions, Stores, Naval Provisions, &c.

XXIX. *Señ.* 29. All Conditions and Covenants, and all Penalties, Forfeitures, &c. accruing to his Majesty by Reason of the Breach of any Covenant, &c.

XXX. *Señ.* 30. All Offences, Misdemeanors, &c. of any Officers of the Exchequer, or Revenue.

XXXI. *Señ.* 31. All wilful Offences, Misdemeanors, or Omissions of Assessors or Collectors of Taxes.

XXXII. *Señ.* 32. All Suits and Actions of *Quare Impedit.*

XXXIII. *Señ.* 33. Incest, Simony, and Dilapidations.

XXXIV. *Señ.* 34. All First-Fruits and Tenths, Pensions, Procurations, Synodals, and other Payments out of any Ecclesiastical Benefice, and Arrears of the same.

XXXV. *Señ.* 35. All Monies accruing or arising from any Customs, Excise, Land Tax, or other Impositions whatsoever, due or owing to the King, and all Arrears thereof, and all Concealments and wrongful Detainment of the same, and all Corruptions of any Officers of the same.

XXXVI. *Señ.* 36. All Offences against the Act 5 G. c. 11. *Against clandestine Running of uncustomed Goods, &c.* and contrary to 6 G. c. 21. *For preventing Frauds and Abuses in the publick Revenues, &c.*

XXXVII. *Señ.* 37. All Offences against the Act 5 G. c. 21. *For the better securing the lawful Trade of his Majesty's Subjects to and from the East-Indies, &c.* or contrary to an Act of this Session, *For the further preventing his Majesty's Subjects from trading to the East-Indies under Foreign Commissions, &c.*

XXXVIII. *Señ.* 38. All Offences, Penalties, &c. relating to the Exportation of Wool, or the Importation of Brandy in any Cask, not containing 60 Gallons, &c.

XXXIX. *Señ.* 39. Offences by Persons in converting to their own Use any Goods, Chattels, Rents, &c. belonging to the Crown.

XL. *Señ.* 40. All Arrears of Rent due from any Farmer or Tacksmen of any Part of the Publick Revenues, and of Fee farm, and other Rents.

XXI. Sect. 41. All Accounts of Collectors, Commissioners, Treasurers, Receivers, and other Officers, or any Accountant whatsoever, of any Part of the Revenue.

XLII. Sect. 42. All Recognizances, &c. to the King, conditioned for the Payment of Money.

XLIII. Sect. 43. This Act shall not discharge any Recognizance not yet forfeited; nor any forfeited Recognizance, whereof any Farmers or Tacksmen of the Revenue ought to receive Benefit; nor any Debt due by Recognizance to any Persons indebted to the Crown, which has been seized in Aid; nor any Debts whereon any Estalment or Seizure has been made, upon which any Thing is, or since 19 Apr. 1709, hath been paid; or to discharge any Forfeitures due by any Statute, which since 19 Apr. 1709, are converted into the Nature of a Debt, or have been estalled, or any Seizure made for them, upon which any Thing has been paid since the said 19 April 1709; nor any Recognizance forfeited on Account of any Crimes, or other Matter excepted out of this Pardon.

XLIV. Sect. 44. All Issues, Fines, &c. lost or assessed since 19 April. 1709, which have been totted or received by any Sheriff or other Officer, who are to account for the Year ending at Michaelmas next ensuing, at any Time before they shall finish their Accounts.

XLV. Sect. 45. All Fines *pro Licentia concordandi*, and all such Issues above 6l. which have been lost or assessed, and assessed, estreated or enter'd since the said 19 April 1709.

XLVI. Sect. 46. All Issues, Fines, &c. returned, taxed, or enter'd in any Court of Record, at any Time since 24 July 1719. Nevertheless all Estreats of such Fines, &c. as be pardoned by this Act, and which be already estreated forth of the Exchequer of England or Scotland, and in the Hand of the Sheriffs, &c. shall, on the Return of the Estreats, be duly charged and deliver'd by Scrows, into the Pipe-Office, that the Crown may be truly answer'd all such Fines, &c. not hereby pardoned, which any Sheriff, &c. hath received; yet all Sheriffs, &c. on their Petition to be made for the Allowance of any such Fines, &c. as by this Act are pardoned, shall have their Petition allowed in their Accounts, without Fee.

XLVII. Sect. 47. This Act shall not restore Capacity to hold any Office, &c. to any Persons, who by any Act or Law whatsoever, are made, or become incapable to hold or execute the same.

XLVIII. Sect. 48. All Persons who, on 24 July 1721, be and remain attainted of High Treason, and all Executions and Forfeitures therefore.

XLIX. Sect.

XLIX. *Señ.* 49. All Contempts in not appearing of any Persons, according as they were appointed to do in Pursuance of the Act 1 G. c. 20. *For encouraging all Superiors, Vassals, &c.* and all Forfeitures of single and Life-Rent escheat, incurred thereby: Nevertheless the 500 l. and the Year's Imprisonment for such Offence hereby remitted.

L. *Señ.* 50. All Persons who, being in actual Custody, have desired to be transported.

LI. *Señ.* 51. All Offences by any Jesuit, Seminary or other Romish Priest, contrary to the Statute 27 Eliz. c. 2. and all Outlawries, Proceedings, Judgments and Executions for the same Offences.

LII. *Señ.* 52. All Convictions of Popish Recusants for their Recusancy; and all Forfeitures of Estates, real and personal, mention'd in the Act 1 G. c. 50. *For appointing Commissioners to enquire of the Estates of certain Traitors, &c.*

LIII. *Señ.* 53. All Offences contrary to the Act 1 G. c. 55. *To oblige Papists to register their Names and real Estates.*

LIV. *Señ.* 54. All Contempts in Cases depending before 28 July 1721, in any Court of Law or Equity; or for Non-performance of Awards, or Non-payment of Costs awarded by such Courts before 24 July 1721, and all Proceedings on such Contempts, and Securities taken thereon; and all Usurpations or Forfeitures of Franchises or Offices, for which any Prosecution hath been commenced since 6 May 1715, and is depending on the said 24 July.

LV. *Señ.* 55. All Contempts in any Ecclesiastical Court, in such Cases only that have been commenced for Matters of Right, and not for Correction; and all Contempts in any Court of Admiralty, proceeding civilly, and not criminally.

LVI. *Señ.* 56. This Act shall not extend to discharge Robert Blackburne, and others, mentioned in 1 G. c. 7, who may be detain'd in Custody, without Bail or Mainprize during his Majesty's Pleasure.

LVII. *Señ.* 57. Also excepted Sir John Fellowes, Bart. late Sub-Governor, Charles Foye, Esq; late Deputy-Governor, and William Astell, Esq; Sir Lambert Blackwell, Bar. Sir John Blount, Bar. Sir Robert Chaplain, Bart. Sir William Chapman, Knt. and Bart. Robert Chester, Esq; Stephen Child, Esq; Peter Delaport, Esq; Francis Eyles, Esq; James Edmondson, Esq; Edward Gibbon, Esq; John Gore, Esq; Sir William Hammond, Knt. Francis Harves, Esq; Richard Horsey, Esq; Richard Houlditch, Esq; Sir Theodore Fansen, Knt. and Bart. Sir Jacob Jacobson, Knt. Arthur Ingram, Esq; Sir John Lambert, Bart. Sir Harcourt Master, Knt. William Morley, Esq; Ambrose Page, Esq; Colonel Hugh Raymond, Samuel Read Jun. Esq; Thomas Reynolds, Esq; Jacob Sawbridge, Esq; William Tillard, Esq; and John Turner, Esq; late Directors of the South-Sea Company;

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and also *Robert Knight*, late Treasurer or Cashire, *Robert Symman* late Deputy-Treasurer, and *John Grigsby*, late Accountant to the said Corporation, and also *John Aislaby*, Esq; and all the Estates real and personal, of every of them, and the Estates of *James Craggs* the Elder, deceased.

LVIII. *Seç.* 58. No Proceſs of Outlawry at the Suit of any Person Plaintiff ſhall be ſtaid, unleſs the Defendant appear, and put in Bail, where Bail by Law is neceſſary, and take out a Writ of *Scire Facias* againſt the Party, at whoſe Suit he was outlaw'd; and this Pardon ſhall not diſcharge any Outlawry after Judgment, till Satisfaction or Agreement made to or with the Party at whoſe Suit the Outlawry was obtained.

LIX. *Seç.* 59. Every Perſon hereby pardoned, may plead the General Iſſue without ſpecial pleading this Pardon, and give this Act in Evidence for his Diſcharge; and the ſame ſhall be allowed, and Advantage thereof had, as fully as if the ſame had been fully and well pleaded.

LX. *Seç.* 60. This preſent Pardon ſhall be of as good Force and Effect to diſcharge all the Premiſſes above mentioned, as well againſt Perſons claiming the ſame under Letters Patents, or Leaſe, or Grant by the King's Maſteſty, or any his Predeceſſors, as againſt the King himſelf.

Physicians and Medicines.

I Stat. 10 G. c. 20. *Seç.* 1. The four Perſons choſen annually by the Preſident and Fellows of the College of Phyſicians, commonly called *Cenſors*, or any three of them, calling to their Aſſiſtance the Wardens of the Myſtery of Apothecaries in the City of London, or one of them, ſhall have full Power, at all Times hereafter, when, and as often as the Cenſors ſhall think convenient, at ſeaſonable Times in the Day-time, to enter into the Houſe, Shop, Cellar, Vault, Workhouſe, Warehouſe, or any other Room of the Houſe of any Apothecary, or other Perſon, who ſhall keep a Shop for Sale, or ſhall ſell any Medicines, Drugs, Waters, Oils, or Compoſitions, to be uſed for Medicines, within the ſaid City, and Suburbs thereof, or within ſeven Miles Circuit of the ſaid City, and to ſearch, view and examine the ſaid Medicines, &c. and all ſuch Medicines, &c. as the Cenſors, on ſuch Search, View and Examination, ſhall find to be defective, corrupted or decay'd, and not meet to be uſed or adminiſter'd in Medicine for the Health of Man's Body, any three of the Cenſors ſhall take and burn, or otherwiſe deſtroy the ſame: Except Drugs in the
Houſes

Houses or Warehouses of Merchants, Importers or Drug-gifts, not making or keeping Medicines for Sale.

II. *Seff. 2.* If the Wardens of the Myttery of Apothecaries in London, shall at any Time refuse or neglect going with the Censors for making such Search, at such Time and Place as any three of the Censors shall appoint; the said Censors may execute their Power and Authority for viewing, searching, and destroying such Medicines, Drugs, &c. as they shall find to be defective, &c.

III. *Seff. 3.* If the Censors shall at any Time adjudge any Medicines, &c. to be defective, corrupted or decay'd, and not meet to be used in Medicine; and the Person in whose Shop, House, &c. the same shall be found, or, in his Absence, the Person having the Custody and chief Care thereof, shall before the destroying thereof, insist that the same ought not to be destroy'd, and shall forthwith by Writing under his Hand and Seal, appeal to, and desire the Judgment of the President and Fellows of the said College; then the Censors shall cause the Medicines, &c. so condemned, together with the Pots, Glasses, or other Vessels in which they are contained, and the Reasons in Writing for condemning thereof, subscribed by the Censors condemning the same, to be put into a Box, which shall then and there be sealed up with the Seals of three of the Censors, and of the Person so insisting, if he shall think fit: Which Box shall be carefully convey'd to the College of Physicians, and there kept till the next Assembly of the President and Fellows: Which Assembly the Censors shall procure to be summoned in the usual Manner, and to be held at the College within 14 Days next after such Box shall be so sealed up at farthest, and so soon as that none of the Medicines therein put, if then good, may decay in the mean Time; and Notice in Writing of such Assembly to be given to or left for the Person, by or for whom such Appeal was made, at the Place where such Medicines, &c. were found, two Days before the Meeting: And the President and Fellows, not being less in Number than twelve, exclusive of the Censors, from whose Judgment such Appeal shall be made, shall open the Box in the Presence of the Person, by or for whom the Appeal was made, if he there appear; and in Default of his Appearance, then without him; and shall examine, and finally determine concerning such Medicines, &c. And if the major Part of them shall, on such Examination, confirm the Judgment of the Censors, then the Censors shall cause all such Medicines, &c. so condemned, and the Vessels containing the same, to be burnt or destroyed, before the Doors of the Person in whose House, &c. the same were found, in such publick Manner, and at such Time, as the Censors shall think

fit and direct: And if the President and Fellows shall not, within 14 Days at farthest after such Appeal, upon such Examination, confirm the Judgment of the Censors, then the Censors shall, immediately after such Examination, cause the said Medicines, &c. or so much thereof as shall remain not wasted in such Examination, to be carefully return'd to the House, &c. where they were found.

IV. *Seff. 4.* Every Apothecary, or other Person, who shall resist or hinder such Search, shall, for every such Offence, forfeit to the President and College 10*l.* to be recovered by Action of Debt, &c. with Costs of Suit.

V. *Seff. 5.* If any Person be sued for putting in Execution any Power given by this Act, he may plead the General Issue, and give this Act, and the special Matter in Evidence.

VI. *Seff. 6.* Nothing in this Act shall extend to prejudice the Right, Title, Interest, and Property, granted to any Person by any Letters Patent now in Force, for the sole making and vending any Medicine, nor to empower the President and Censors, with the Wardens of the Apothecaries Company, to inspect the Matter or Composition of any such Medicine, or destroy the same, during the Continuance of such Letters Patent.

VII. *Seff. 7.* Every Person who shall be hereafter censur'd by the Censors of the said College, or be condemned by them to pay any Fine, or suffer Imprisonment, or undergo any other Punishment for any Offence supposed to be committed by such Person, in not well executing, practising, or using that Faculty, may, within 14 Days after having Notice thereof, appeal to the President and Fellows by Writing under his Hand and Seal delivered to the President, or Vice-President of the College, or to the Censors, or any of them, desiring their Judgment upon the Offence laid to his Charge; and such Appeal shall suspend the said Judgment and the Execution thereof, and shall be heard at the College, in an Assembly duly summoned, of the President and Fellows, not being less in Number than twelve, exclusive of the Censors, from whose Judgment the Appeal shall be made, Notice thereof being duly given to the Person appealing; and the Circumstances of the Case shall be there fully examined into, and their Judgments shall be final and conclusive, and be put in Execution, as if the same had been at first given by the Censors; and such Judgment so appealed from, shall be of no Force otherwise than as it shall be affirm'd in all or in Part, by such final Judgment given on the Appeal.

VIII. *Seff. 8.* The Acts 14 & 15 H. 8. c. 5. 32. H. 8. c. 40. For Physicians and their Privileges, 1 Mar. Seff. 2. c. 9. Touching the Corporation

Corporation of Physicians Physicians in London, and also this present Act, shall be deemed to be publick Acts, and shall be judicially taken Notice of, and allow'd as such, in all Courts, by all Judges, Justices and other Persons whatsoever, without special Pleading the same: And this present Act shall continue in Force for three Years, and from thence to the End of the then next Session of Parliament.

Pictures.

I. Stat. 8 G. c. 20. Sect. 49. The Duties now payable on the Importation of Pictures, for all Pictures which shall be imported after *Lady-Day* 1722, shall cease; and in Lieu thereof there shall be paid for all Pictures imported after that Time into *Great Britain*, the certain Duties following, according to the Dimensions of such Pictures, viz.

For every Picture of four Feet square, or of any Dimensions, which being reduced will produce a Square of four Feet, or upwards, 3 *l*.

For every Picture of two Feet square, and under four, or of any Dimensions, which being reduced will produce a Square of two Feet, and under four, 40 *s*.

And for every Picture under two Feet square, or of any Dimensions, which being reduced will produce a Square of less than two Feet, 20 *s*.

Which Duties shall be paid in ready Money by the Importers of such Pictures, before the Landing of the same.

II. Sect. 50. These Duties shall be raised, &c. and brought into the Exchequer, by such Rules, &c. and under such Penalties, &c. as the Duties on Pictures hereby taken away, might have been raised, &c. if the same had continued.

III. Sect. 51. The Duties to arise on the Importation of Pictures, pursuant to this Act (the necessary Charges of Management excepted) shall be appropriated, as near as may be, to the same Uses to which the former Duties were applicable.

IV. Sect. 52. The Duties hereby charged on Pictures shall be redeemable as the former Duties were: And where any of the former Duties were to cease, a proportional Part of the Duties hereby charged on Pictures shall cease likewise.

Piracy.

I. Stat. 6 G. c. 19. Sect. 3. The Act 11 & 12 W. 3. c. 7. For the more effectual Suppression of Piracy, is made perpetual.

II. Stat.

II. Stat. 8 G. c. 24. Sect. 1. If any Commander or Master of any Ship or Vessel, or other Person, shall, after 25 March 1722, any wise trade with any Pirate, by Truck, Barter, Exchange, or in any other Manner; or shall furnish any Pirate, Felon, or Robber on the Seas, with any Ammunition, Provisions, or Stores of any Kind; or shall fit out any Ship or Vessel knowingly, and with Design to trade with, or supply, or correspond with any Pirate, &c. or if any Person shall any Ways consult, combine, confederate, or correspond with any Pirate, &c. knowing him to be guilty of any Piracy, Felony, or Robbery, such Offender shall, in each and every of the said Cases, be adjudged guilty of Piracy, Felony, and Robbery; and shall be enquired of, tried and adjudged for any the Matters aforesaid, according to the Statutes 28 H. S. c. 15, and 11 & 12 W. 3. c. 7, which by 6 G. c. 19. S. 3, is made perpetual: And being convicted shall suffer such Pains of Death, Loss of Lands, Goods, and Chattels, as Pirates, &c. ought to suffer: And if any Person belonging to any Ship or Vessel whatsoever, upon meeting any Merchant-Ship on the high Seas, or in any Port, Haven, or Creek whatsoever, shall forcibly board and enter into such Ship, and tho' they do not seize and carry her off, shall throw over-board, or destroy any Part of the Goods or Merchandizes belonging to such Ship, the Persons guilty thereof shall be deemed and punished as Pirates.

III. Sect. 2. Every Ship or Vessel which shall be fitted out with a Design to trade with, or supply, or correspond with any Pirate, and all the Goods and Merchandizes put on board the same, with an Intent to trade with any Pirate, shall be *ipso facto* forfeited; one Moiety to the King, the other to the first Discoverer of such Design, who may sue for, and recover the said Ship, &c. in the High Court of Admiralty.

IV. Sect. 3. All Persons who by the Act 11 & 12 W. 3. c. 7, are declared Accessaries to any Piracy therein mention'd, are hereby declared, and shall be deem'd to be Principal Pirates; and shall, after 25 March 1722, be enquired of, heard and adjudged in the same Manner as Persons guilty of Piracy ought to be enquired of, &c. by the said Statute 11 & 12 W. 3. and being thereupon attainted and convicted, shall suffer such Pains of Death, Loss of Lands, Goods and Chattels, and in like Manner, as Pirates and Robbers ought by the said Act to suffer.

V. Sect. 4. Every Offender, convicted of any Piracy, Felony, or Robbery, by Virtue of this Act, shall not be admitted to have the Benefit of the Clergy, but be utterly excluded of the same.

VI. Sect.

VI. *Seft.* 5. If any Seaman, on Board any Merchant-Ship or other Vessel, shall be maimed in Fight against any Pirate, upon due Proof thereof, he shall not only receive the Rewards appointed by 22 & 23 *Car. 2. c. 11*, but shall be admitted into, and provided for in *Greenwich Hospital*, preferable to any other Seaman, who is disabled from Service, or getting a Livelihood, meerly by his Age.

VII. *Seft.* 6. If any Commander, Master, or other Officer, or Seaman of a Merchant-Ship, which carries Guns and Arms, shall not, when they are attack'd by any Pirate, or by any Ship on which such Pirate is on Board, fight, and endeavour to defend themselves and their Ships from being taken; or shall utter any Words to discourage the other Mariners, and by Reason thereof the Ship shall fall into the Hands of the Pirate; In every such Case, every such Commander, &c. shall forfeit all the Wages due to him, to the Owners of the Ship, and not be permitted to sue for the same in any Court of Law or Equity; and as a farther Punishment shall suffer six Months Imprisonment.

VIII. *Seft.* 7. For preventing of Seamen deserting Merchant-Ships in Parts beyond the Seas, which is the chief Occasion of their turning Pirates, and occasioned chiefly by the Owners of Ships paying Wages to Seamen when abroad, it is enacted, That no Master or Owner of any Merchant-Ship, shall pay, or cause to be paid to any Seaman, during the Time he shall be in any Parts beyond the Seas, any Money or Effects on Account of Wages, exceeding one Moiety of the Wages due at the Time of such Payment, till such Ship shall return to *Great Britain, Ireland*, or the Plantations, or to some other of his Majesty's Dominions where-to they belong, and from whence they were fitted out; on Forfeiture of double the Money so paid, to be recover'd in the High Court of Admiralty by any Person who shall first discover and inform for the same.

IX. *Seft.* 8. If any Captain, Commander or other Officer of any of his Majesty's Ships of War, whether such Ship be employ'd at home or abroad, shall, after 29 *Sept. 1722*, receive or permit to be received on board such Ship, any Goods or Merchandizes, in Order to trade with the same, either on his own or any other Person's Account, except Gold, Silver, or Jewels, and Goods belonging to any Merchant-Ship shipwreck'd, or in Danger of being shipwreck'd, in Order to the preserving them for their proper Owners; and except such Goods as they shall be order'd to receive on board by the Admiralty; every such Captain, &c. so offending shall, upon his being convicted thereof by a Court-Martial, forfeit the Command and Office he shall then have in the said Ship, and shall be for ever afterwards
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render'd incapable to serve in the same, or in any other Place or Office in the naval Service of the Crown; and as a farther Punishment he shall forfeit all the Wages due to him for his Service in the Ship of War whereto he shall belong, when or at any Time after such Offence shall be committed.

X. *Señ. 9.* The said Captain, &c. and the Proprietors of the Goods so put on board such Ship of War, shall forfeit the full Value of the Goods so put on board; one Moiety to the first Discoverer, the other to the Use of *Greenwich* Hospital: All which Forfeitures shall be sued for in the High Court of Admiralty.

XI. *Señ. 10.* This Act shall extend to all his Majesty's Dominions in *Asia*, *Africa*, and *America*, and shall be taken as a Publick Act; and shall continue in Force for seven Years, from 25 *March* 1722, and from thence to the End of the then next Session of Parliament.

Plate.

I. *Stat. 6 G. c. 11. Señ. 1.* The old Standard of eleven Ounces and Two-penny Weight of fine Silver at least, to be contained in every Pound Weight *Troy*, of Silver Vessels, Plate, or other Manufactures of Silver, which was alter'd by 8 *W. 3. c. 7*, made after 1 *June* 1720, shall be restored, and take Place instead of the new Standard of eleven Ounces and Ten-penny Weight of fine Silver at least in every such Pound *Troy*.

II. *Señ. 2.* After 1 *June* 1720, no Goldsmith, Silversmith or Plate-Worker, shall be obliged, by Virtue of any former Act, to work or cause to be wrought, any Silver Vessel, Plate, or Manufacture of Silver according to the new Standard of eleven Ounces Ten-Penny Weight, or be restrained from exchanging or selling any Silver Vessels, &c. so as the same do contain eleven Ounces Two-Penny Weight of fine Silver at least in every Pound *Troy*; and be touched, assayed and marked as by the former Acts, and by this Act, is provided.

III. *Señ. 3.* After the said 1 *June* 1720, No Goldsmith, &c. or other Person, shall work any Silver Vessel, &c. less in Fineness than eleven Ounces, Two-penny Weight, or put to sale, exchange, or sell any Silver Vessel, &c. made after the said 1 *June*, (unless Silver Wire, or such Things as in Respect of their Smallness are not capable of receiving a Mark) till such Vessel, &c. be touched, assayed and marked, as is prescribed by the Laws for touching, &c. the Standard of eleven Ounces and Ten-penny Weight, in Case the same Standard had continued: And all the Rules, Directions,

Powers, Privileges, Pains, Forfeitures, &c. provided by any former Laws, in Force at the making of this Act, shall be continued and put in Execution, for preserving and securing the Standard of eleven Ounces two-penny Weight, as fully and effectually as if the said Rules, &c. were herein repeated and re-enacted.

IV. *Seç. 4.* There shall be raised for the Use of his Majesty, his Heirs and Successors, for ever, (but subject to such Redemption as is herein after provided) upon all Silver Plate, which after 1 *June* 1720, shall be imported into *Great Britain*, (over and above all other Customs and Subsidies) a Duty after the Rate of 6 *d. per Ounce Troy*, and so proportionally; to be paid down in ready Money by the Importer before Landing; and upon all Silver Plate that shall be made in *Great Britain*, or that after the said 1 *June* 1720, shall or ought to be touched, assayed or marked there, a Duty after the Rate of 6 *d. per Ounce Troy*, and so proportionally; to be paid by the Workers, and to be secured to be paid in the Manner herein after prescribed.

V. *Seç. 5.* The Duties hereby imposed upon wrought Plate imported, shall be raised and brought into the Exchequer, by the same Rules and Methods, and under such Penalties and Forfeitures, and with such Allowances, and in such Manner, as the Duties upon Gilt and Silver Wire imported, imposed by 10 *A. c. 26*, are appointed to be raised, &c.

VI. *Seç. 6.* Such Persons as his Majesty or the Treasury shall appoint, shall be Commissioners for the Receipt and Management of the Duties upon Silver Plate to be made in *Great Britain*, or to be touched, assayed and marked as aforesaid: Which Commissioners, or the major Part of them, shall, by Commissions under their Hands and Seals, substitute under them such Officers as shall be requisite in that Behalf; and the same Commissioners and Officers shall have out of those Duties such Salaries and Rewards for their Services therein, as the Treasury shall think reasonable to allow: And the Commissioners shall cause the Monies arising of the Duties on wrought Plate, to be made, touched, assayed or marked in *Great Britain*, (the necessary Charges of Management excepted) to be paid into the Exchequer for the Uses in this Act expressed.

VII. *Seç. 7.* Every Goldsmith, Silversmith, or other Manufacturer, who after 1 *June* 1720, shall make any Silver Plate or Manufacture of Silver in *Great Britain*, shall give Notice in Writing at the next Office, of their Names and Places of Abode, and of the Houses or Places by them made Use of for working of Silver Manufactures, on Forfeiture of 20 *l.* for every Offence in making or causing to be

be made any such Plate, &c. without having first notify'd the same as aforesaid.

VIII. *Seft.* 8. All Goldsmiths, &c. shall once in every Month make a true Entry in Writing at the next Office for the Duties, of all the Silver Plate or Manufactures of Silver by them made within such Month, containing the Weight and Kinds of all the Silver-Plate, &c. mentioned therein, and how much thereof was made in each Week; on Forfeiture, for every Neglect, of 100 *l.* and every such Entry shall be made upon Oath of the Manufacturer, or other Person for whom the Plate was made, or of the chief Workman employ'd therein, (or if a Quaker, on his solemn Affirmation) to the best of their Knowledge or Belief: Which Entries, Oaths and Affirmations, shall be made with, and administer'd by such Officers, as shall be appointed to take the same, without Fee or Charge.

IX. *Seft.* 9. Every Goldsmith, &c. shall within six Weeks after he shall make, or ought to have made such Entry, clear off all the Duties, on Pain of forfeiting double the Sum of the said Duty, whereof Payment shall have been refused or neglected.

X. *Seft.* 10. The Officers for the Duties shall at all Times in the Day-time be permitted, upon Request, to enter the Workhouse, or other Place made Use of for working of Plate, and to take an Account of the just Weight of the Plate that shall have been made, and shall make Return thereof in Writing to the Commissioners, or such as they shall appoint to receive the same; leaving a Copy thereof (if demanded) with the Maker upon whom such Return shall be a Charge: And the Officer who shall refuse to leave such Copy (being demanded) shall for every such Offence, forfeit 40 *s.* to every such Maker.

XI. *Seft.* 11. Every Officer empower'd to make such Charge, shall be sworn for the due and faithful Execution of his Office; which Oath shall be administer'd by any of the Commissioners, or by a Justice of Peace, who shall give to such Officer a Certificate thereof: And all Persons chargeable with the Duty, are required to keep sufficient and just Scales and Weights at the Places where they shall make such Plate, and shall permit and assist the Officer to make Use thereof, under the Penalty of 10 *l.*

XII. *Seft.* 12. If any Maker or Worker of Plate shall obstruct or hinder any Officer in the Execution of any the Powers given him by this Act, the Offender shall for every Offence forfeit 20 *l.*

XIII. *Seft.* 13. No Maker of Plate shall, (under Pain of forfeiting 40 *l.* for every Offence) remove or send away any Plate, of which no Account shall have been first taken by the
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the proper Officer, from the Workhouse where made, without giving 24 Hours Notice at the least of his Intention so to do, that the Officer, without his own wilful Default, may have Time to weigh and take Account thereof.

XIV. *Seç.* 14. All Persons, by or for whom any Plate shall be wrought, shall keep all the Plate not survey'd and taken an Account of, separate and apart from that which shall have been survey'd, &c. for 24 Hours after making, unless such Plate shall have been sooner survey'd by the proper Officer; on Forfeiture of 20 *l.* for every Offence.

XV. *Seç.* 15. Persons fraudulently concealing any of the Silver Manufactures chargeable by this Act, with Intention to defraud the Crown, shall forfeit 20 *l.* for every Offence.

XVI. *Seç.* 16. All Plate and other Manufactures of Silver, found in a private Workhouse, and all private Utensils for working the same, of which no Notice shall have been given, pursuant to this Act, shall be forfeited and lost; and the same, or the Value thereof, may be seized and recovered by any Officer of the Duty for the King's Use.

XVII. *Seç.* 17. All Plate and Manufactures of Silver, and all Materials and Utensils for making the same, in the Custody of any Maker thereof, or of any Persons in Trust for such Maker, shall be liable to, and are hereby made chargeable with all Debts and Duties in Arrear and owing by such Maker, for any Plate, &c. made by him, or in his Workhouse, &c. and also be subject to all Penalties and Forfeitures, incurred by such Person for any Offence against this Act; and it shall be lawful in all such Cases to levy Debts and Penalties, and use such Proceedings, as may be done in Case the Debtor or Offender were the true and lawful Owner of the same.

XVIII. *Seç.* 18. In case any Person shall export by Way of Merchandize for Foreign Parts any wrought Plate or Manufactures of Silver chargeable with the said Duty of 6 *d.* per Ounce, and the same shall appear to have been made or marked after 1 *June* 1720, and shall give Security before Shipping, that the particular Quantities intended for Exportation shall not be relanded in *Great Britain*; and shall make Proof on Oath, (or Affirmation as aforesaid) that the same Silver Plate, &c. was actually made or marked after the said 1 *June* 1720, (which Security shall be taken in the King's Name, and to his Use; and the said Oaths and Affirmations shall be administer'd by the Customer or Collector of the Port for such Transportation) then the said Customer or Collector shall give the Exporter a Debenture expressing the true Kinds and Quantities of such Plate, &c. and

and the Exportation or Shipping thereof being certified by the Searcher upon the Debenture, the Collector or Receiver of the Duty shall, (on producing the said Debenture so certified) forthwith pay a Drawback after the Rate of 6 d. per Ounce of such Plate, out of the Money of the Duties then in his Hands, without Fee or Reward; and if he have not Money, then the Commissioners are to cause the said Debenture to be paid out of any the same Duties arising by this Act.

XIX. *Seft.* 19. All the Powers, Rules, Penalties, &c. in 12 *Car.* 2. c. 24, and in other Laws now in Force relating to the Revenue of Excise (other than in Cases for which other Penalties and Provisions are prescribed by this Act) shall be used and put in Execution for managing, raising, paying, &c. the Duty on Plate during this Act.

XX. *Seft.* 20. All Fines, Penalties, &c. in Relation to the Duty by this Act imposed upon Plate, or Manufactures of Silver, shall be sued for and recovered, or mitigated, by such Ways and Methods, as any Fine, &c. may be by any Laws of Excise, or by Action of Debt, &c. in any Court of Record at *Westminster*, or in the Courts of Session, Justiciary, or Exchequer in *Scotland*; and one Moiety shall be to the King, the other to the Informer.

XXI. *Seft.* 21. The Commissioners for the Duty on Plate to be made in *England*, *Wales* or *Berwick*, shall have the like Jurisdiction, Power, &c. and may determine, mitigate or order, in all Cases relating to the said Duties arising within the Limits aforesaid, as the Commissioners of Excise have in like Cases.

XXII. *Seft.* 23. During the Continuance of this Act, there shall be appointed so many Commissioners of the Customs and Excise, and other Officers, as shall be necessary for raising the Duties by this Act granted, and for keeping and rendering the Accounts of the same; and all Receivers General, Collectors, and other Officers, concern'd in raising or paying these Duties, shall perform their several Duties therein, under the like Penalties, Disabilities, &c. for any Offence or Neglect therein, or for detaining or misapplying any of the Monies, as are prescribed by 9 *W.* 3. c. 44, for the like Offences relating to the Duties on Salt, stamp Vellom, &c. See more of this Act in Tit. Annuities. Par. I.

XXIII. *Seft.* 41. After 1 *June* 1720, all Silver Vessels of Plate, shall not be made less in Fineness than Eleven Ounces Ten-penny Weight of fine Silver in every Pound *Troy*, or eleven Ounces Two-penny Weight: Which two different Standards of wrought Plate shall be severally marked with distinguishing Marks, viz. Vessels made of Silver Plate not less in Fineness than eleven Ounces Ten-penny Weight in every

every Pound Troy, to be marked with the Workman's Mark, the Mark of the Wardens of the Goldsmiths Company, and with the Figure of a *Lion's Head* erased; and the Figure of a Woman called the *Britannia*. And all Vessels of Silver not less in Fineness than eleven Ounces Two-penny Weight in every Pound Troy, shall be marked with the Worker's Mark, and that of the Wardens of the Goldsmiths Company; and with the Figure of a *Lion Passant*, and of a *Leopard's Head*: And no Vessels of Silver Plate, or Manufactures of Silver shall be made of a courser Allay, under the Penalties prescribed by any Laws now in Being concerning wrought Plate.

XXIV. Stat. 7 G. c. 20. Sect. 34. Manufactures of Silver, the Silver whereof when made, shall be under the Weight of Three-penny Weight (except Handles, Hafts, Spoons, Thimbles, Buckles, Clasps or Buttons, made of Silver only, or whereof the greatest Part is Silver) are not intended to be charged with the Duty on wrought Plate, granted by 6 G. c. 11. And the Officers for the said Duty, after 1 July 1721, shall not be obliged to take any Account, or to make any Return of such minute and small Manufactures of Silver.

P002.

I. Stat. 9 G. c. 7. Sect. 1. After 25 March 1723, no Justice of the Peace shall order Relief to any poor Person dwelling in any Parish, till Oath be made before such Justice of some Matter, which he shall judge to be a reasonable Cause for having such Relief; and that the same Person had, by himself, or some other, applied for Relief at some Vestry, or other publick Meeting of the Parishioners, or to two of the Overseers of the Poor of such Parish, and was by them refused to be relieved; and till such Justice has summoned two of the Overseers to shew Cause why such Relief should not be given; and the Person so summoned hath been heard, or made Default to appear before such Justice.

II. Sect. 2. The Person, whom such Justice shall order to be relieved, shall be enter'd in the Parish-Books, as one of those who is to receive Collection, as long as the Cause for such Relief continues, and no longer: And no Officer of any Parish shall (except on sudden and emergent Occasions) bring to the Account of the Parish any Monies he shall give to any poor Person who is not register'd in the Parish-Book, as a Person entitled to receive Collection, on

Forfeiture of 5 *l.* to be levied by Distress and Sale, by Warrant of two Justices, who shall have examined into, and found him guilty of such Offence: To be applied for the Use of the Poor of the Parish, by Direction of the Justices.

III. *Sect. 4.* The Churchwardens and Overseers in any Parish, Town, Township or Place, with the Consent of the major Part of the Parishioners or Inhabitants, in Vestry or other Parish or publick Meeting assembled, or of so many of them as shall be so assembled, may purchase or hire any Houses in the same Parish, &c. and contract with Persons for the lodging, maintaining, and employing all such Poor in their respective Parishes, &c. as shall desire to receive Relief; and there keep and employ them, and take the Benefit of their Work and Labour, for their better Maintenance and Relief: And if any poor Person shall refuse to be lodged or maintained in such House, he shall be put out of the Books where the Names of the Persons who ought to receive Collection, are to be register'd, and shall not be entitled to receive Relief from the Churchwardens and Overseers: And where any Parish, &c. shall be too small to purchase or hire such Houses for the Poor of their own Parish only; two or more such Parishes, &c. with the like Consent as above, with the Approbation of a Justice of the Peace, dwelling in or near such Parish, &c. under his Hand and Seal, may unite in purchasing or hiring such Houses, for the lodging and maintaining the Poor of the several Parishes, &c. so uniting, and there keep and employ them, &c. And if any poor Person in the Parishes so uniting shall refuse to be lodged there, he shall be put out of the Collection-Book, and not entitled to demand Relief: And the Churchwardens and Overseers of any Parish, &c. with the like Consent of the Parishioners, &c. as above, may contract with the Churchwardens and Overseers of any other Parish, &c. for the lodging, maintaining or employing of any poor Persons of such other Parish, &c. and if the Poor of such other Parish shall refuse to be lodged, &c. they shall be put out of the Collection-Book, and not entitled to ask Relief: Provided, That no poor Person, his Apprentice or Children, shall acquire a Settlement in the Parish, &c. to which they are removed by Virtue of this Act; but their Settlement shall remain in such Parish, &c. as it was before such Removal.

IV. *Sect. 5.* After 25 March 1723, no Person shall be deemed to acquire any Settlement in any Parish, by Virtue of any Purchase of an Estate or Inheritance in such Parish, whereof the Consideration for such Purchase does not amount to 50 *l.* for any longer Time than such Person shall inha-

inhabit in such Estate; and shall then be liable to be removed to such Parish where he was last legally settled before the Purchase, and Inhabitation therein.

V. Sect. 6. No Person who, after 25 March 1723, shall be taxed to the Scavenger, or Repairs of the Highways, and shall duly pay the same, shall be deemed to have a legal Settlement in any City, Parish, &c. by Reason of his paying to such Scavenger's Rate, or Repairs of the Highway.

VI. Sect. 7. The Justices within the Liberty of the Borough of St. Peter, and Hundred of Nassaborough in the County of Northampton, may hear and determine all Appeals against any Order for Removal of any poor Person, in their Quarter-Sessions, as they might have done before the making of the Act 8 & 9 W. 3. c. 30.

VII. Sect. 8. After 25 March 1723, no Appeal from any Order of Removal of a poor Person from one Parish to another, shall be proceeded upon in any Court or Quarter-Sessions, unless reasonable Notice be given by the Church-Wardens or Overseers of the Parish, who shall make the Appeal, to the Churchwardens, &c. of the Parish from which such poor Person shall be removed; the Reasonableness of which Notice, shall be determined by the Justices at the Quarter-Sessions, to which the Appeal is made; and if it shall appear that reasonable Time of Notice was not given, then they shall adjourn the Appeal to the next Quarter-Sessions, and there finally determine the same.

VIII. Sect. 9. After 24 June 1723, if the Justices shall at their Quarter-Sessions, upon an Appeal concerning the Settlement of any poor Person, determine in Favour of the Appellant that such poor Person was unduly removed, then they shall award the Appellant so much Money as shall appear to them to have been reasonably paid by the Parish on whose Behalf such Appeal was made, for the Relief of such poor Person, between the Time of such undue Removal, and the Determination of such Appeal; and the Money so awarded, to be recovered in the same Manner as Costs and Charges on an Appeal are prescribed to be, by 9 W. 3. c. 30. For supplying some Defects in the Laws, for the Relief of the Poor of this Kingdom.

Portsmouth.

I. Stat. 9 G. c. 32. An Act for confirming certain Articles of Agreement, between the Principal Officers of the Ordnance, and Thomas Miffing, Esq, for Exchange of some
P 2 Land.

Lands at *Portsmouth*, for the Service of his Majesty. See the Statute at large.

Post-Office.

I. Stat. 6 G. c. 21. Sect. 51. Whereas Bills of Exchange are frequently sent wrote on one and the same Piece of Paper with a Letter; and also several Letters to several and distinct Persons are sent wrote on one and the same Piece of Paper; Declared, That it was and is the Intent of the Act 9 A. c. 10. *For establishing a General Post-Office*, &c. that every such Bill, and every such Letter should be rated and paid for as so many several and distinct Letters, according to the Rates in that Act: And Enacted, That the same shall be rated and paid for accordingly.

II. Sect. 52. Whereas by the same Act, it is provided, That all Bills of Exchange, Invoices, and Bills of Lading, shall be understood to be allowed without Rate in the Price of the Letter; and some Doubts having been made touching the said Proviso: Therefore declared and enacted, That it was and is the Intent and Meaning of the said Act, and of these Presents, That the said Proviso and Allowance shall extend only to such Merchants Accounts, Bills of Exchange, Invoices, and Bills of Lading, as shall be sent to or from the General Post-Office in *London*, to or from any Parts beyond the Seas, not within his Majesty's Dominions: And that all other Merchants Accounts, Bills of Exchange, Invoices and Bills of Lading, shall be rated and paid for as so many several Letters, according to the Rates in the same Act mentioned, and the true Intent and Meaning of these Presents.

Pretended Privileged Places.

I. Stat. 9 G. c. 28. Sect. 1. If any Person shall, after the 10th Day of *October* 1723, within the Place called *Sussex-Place*, or the *Mint*, in the Parish of *St. George* in the County of *Surrey*, or within the pretended Limits thereof, knowingly and willingly obstruct or oppose any Person's serving or endeavouring to serve or execute any Writ, or any Rule or Order of any Court of Law or Equity, or other legal Process whatsoever, or any Escape-Warrant, or any Warrants of Justices of the Peace; or shall assault or abuse any Person serving or executing any such Writ, Rule, &c. or for having so done, whereby such Person shall receive

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ceive any Damage or bodily Hurt; every Person so offending, being lawfully convicted thereof, shall be adjudged guilty of Felony, and shall be transported to one of his Majesty's Colonies in *America*, by such Ways and Methods, in such Manner, for such Time, and under such Pains and Penalties, as Felons in other Cases are by Law to be transported.

II. *Seff. 2.* On Complaint to any three or more Justices of the Peace for the County of *Surrey*, by any Person who hath any Debt owing to him, from any Person residing in the *Mint*, &c. (such Creditor having any legal Process taken out for Recovery of his Debt, and making Oath before such Justices, That a Debt exceeding 50 *l.* at the least, is justly due to him from the Person against whom such Complaint shall be made, and that he believes such Person doth reside in that Place) It shall be lawful for the Justices to issue their Warrant to the Sheriff of the County of *Surrey*, or to the Bailiffs of the Liberty of *Southwark*, requiring him or them, his or their Deputies or Officers (under such Penalty as by this Act is prescribed for Non performance of his or their Duty therein) to raise and take the *Posse Comitatus*, or such other Force as they shall think requisite, and enter the said *Mint*, and to arrest, or in Case of Resistance or Refusal, to break open any Doors to arrest such Person, upon Mesne or other Process, and to seize the Goods upon Execution or Extent: And the Sheriff, &c. refusing on such Warrant or Order, with such Force, to use his best Endeavours for the executing of such Process, &c. shall forfeit to the Plaintiff 200 *l.* to be recovered by Action of Debt, &c. And if any Person shall resist any Officer of Justice, or any Person aiding such Officer, within the *Mint*, &c. or shall make Rescous of any Prisoner, taken upon any such Writ, &c. within the said Place, or shall there knowingly harbour or conceal any Prisoner so taken, or any who rescued such Prisoner, or shall be any Ways contriving or assisting in resisting such Officer, or in rescuing such Prisoner, or shall presume to exercise any lawful Jurisdiction, or make, or join in making any pretended Rule or Ordinance for supporting any pretended Privilege within the said Place, or for opposing the due Execution of legal Process, &c. every Person so offending, and being thereof convicted on any Indictment or Information, to be brought or filed within six Months after the Offence committed, shall be adjudged guilty of Felony, and transported to the Plantations.

III. *Seff. 3.* If after 10 Oct. 1723, any Person wearing a Vizard, Mask, or disguised Habit, or having his Face or Body disguised, shall, within the said Place, &c. join in, or

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aid or abet any Riot or Tumult there, or shall, in any Vizard or other Disguise, knowingly oppose the Execution of any legal Process, &c. or assault or abuse any Person serving such Process, &c. or for having so done; every such Person, being lawfully convicted thereof, shall be adjudged guilty of Felony, and shall be transported, as above.

IV. *Señ.* 4. Every Person who shall apprehend any one guilty of any the Offences aforesaid, and prosecute him till convicted, shall receive for every such Offender 40 *l.* to be paid by the Sheriff of *Surrey*, without Deduction or Fee, in one Month after such Conviction and Demand thereof made, by tendering a Certificate to the Sheriff under the Hand of the Judge or Justices before whom such Offender shall be convicted, certifying his Conviction, and that he was taken by the Person claiming the Reward: And in Case of Dispute touching the Right to the Reward, the Judge or Justices shall in the Certificate direct the Reward among the Parties claiming the same, in such Shares as to them shall seem reasonable: And if such Sheriff shall die or be removed, before Payment of the Reward, the succeeding Sheriff shall pay it in one Month: And if the Sheriff make Default in Payment, he shall forfeit to the Person to whom such Money shall be due, double the Sum he ought to have paid; to be recover'd with double Costs of Suit, by Action of Debt, &c.

V. *Señ.* 5. If any Person shall happen to be killed by such Offender, endeavouring to apprehend him, the Executors, &c. of each Person so killed, (on Certificate of the Judge of Assize, or the two next Justices of the Peace, which, on sufficient Proof, they are to give immediately without Fee) shall receive 40 *l.* from the Sheriff of the County where the Fact was committed; and on Failure of Payment such Sheriff shall forfeit double the Sum of 40 *l.* to be recover'd with double Costs of Suit, in Manner aforesaid.

VI. *Señ.* 6. All Sheriffs, their Executors, &c. producing such Certificates, and the Receipts, may deduct, on Accounting with his Majesty, all Monies (other than the forfeited Sums and Costs of Suit) which they shall disburse as aforesaid, without Fee.

VII. *Señ.* 7. If on the Account of any Sheriff, there shall not be sufficient in his Hands to reimburse him, he shall be repaid by the Treasury, or by Record of Surplusage on any other Sheriff indebted to his Majesty, on Certificate from the Clerk of the Pipe, to that Effect.

VIII. *Señ.* 8. If any such Apprehender or Prosecutor is guilty of any the said Offences, not being in Prison for the same, and convicting two or more of any the said Offences,

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fences, he shall not only have the Reward of 40 l. but shall also be entitled to a Pardon.

IX. *Seçt.* 9. The necessary Charge of raising the *Posse Comitatus*, or such other Power as aforesaid, for enforcing the due Execution of this Act, or the Act of 8 & 9 W. 3. c. 27. *For the more effectual Relief of Creditors, in Cases of Escapes, and for preventing Abuses in Prisons and pretended privileged Places*, shall be paid by the Sheriff, and allowed in his Accounts, or be repaid by the Treasury, out of the Revenue of the Crown, or by Record of Surplusage on any other Sheriff in Debt on his Account, on Certificate from the Clerk of the Pipe, to that Effect.

X. *Seçt.* 10. Nothing in this Act shall repeal the said Act 8 & 9 W. 3, or any other Law in Force against pretended privileged Places, or for suppressing of Riots; except in such Cases touching which other Provision is made by this Act.

XI. *Seçt.* 11. Such Persons as shall, by two lawful Witnesses prove themselves to be Objects of Charity and Compassion, in the Manner after mentioned, and shall make a full and true Discovery of all their Estates and Effects, and shall deliver up and assign the same for the Benefit of their Creditors, and conform to the Directions of this Act, shall be discharged from any Arrests or Imprisonment, for any Debt owing by them before 11 Feb. 1722. And to that End, it shall be lawful for any Justice of Peace for the County of Surrey, (on Petition of any such Person) by Warrant under his Hand and Seal to order the Petitioner to appear before the Justices at the Quarter-Sessions to be held next after 30 Days from the Date of such Warrant: And such Person shall there in open Court subscribe and deliver in a Schedule of his whole Estate, real and personal, of what Nature or Kind soever, and the Names of his Debtors, and the Sums of Money by them owing, and the Names and Places of Abode of the Persons from whom such Debts are due, and the Witnesses who can prove any such Debt, and make Oath to the Effect following, viz.

I A. B. do, upon my Corporal Oath, in the Presence of Almighty God, solemnly Swear, Protest, and Declare, That the Schedule now delivered and subscribed by me, doth contain, to the best of my Knowledge, Remembrance, and Belief, a full, just, true, and perfect Discovery and Account of all Estates, Goods, Chattels, and Effects, of what Nature or Kind soever, unto me in any wise belonging, and of all Debts owing to me, or to any Person or Persons in Trust for me, and of all Securities and Contracts, whereby any Money will or may hereafter become payable,

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or any Benefit or Advantage accrue to me, or to my Use, or to any Person or Persons in Trust for me, and the Names and Places of Abode of the several Persons from whom such Debts are due and owing, and of the Witnesses that can prove such Debts or Contracts; and that neither I, nor any Person or Persons in Trust for me, have any Land, Money, Stock, or any Estate, Real or Personal, in Possession, Reversion, or Remainder, other than what are in the said Schedule contained (excepting Weaving Apparel, Bedding for my self and Family, working Tools, and necessary Implements for my Occupation and Calling, and these in the whole not exceeding the Value of Twenty Pounds) and that I have not, directly or indirectly, sold, lessened, or otherwise conveyed, disposed of in Trust, or concealed, all or any Part of my Land, Money, Goods, Chattels, Stock, Debts, Securities, Contracts, or Estates, Real or Personal, whereby to secret, conceal, or secure the same, or to receive or expect any Benefit, Profit, or Advantage thereof, or to defraud or deceive any Creditor or Creditors, to whom I am indebted, in any wise howsoever; and that I did reside and inhabit in the Mint aforesaid, or the Limits, or pretended Limits thereof, for Shelter and Protection, on the Eleventh Day of February, One thousand seven hundred and twenty-two.

So help me God.

Which Schedule shall remain with the Clerk of the Peace for the County of Surrey, for better Information of such Person's Creditors: And all the Estates, Debts, &c. contained in such Schedule, shall, immediately after the Discharge of such Person, be, and are hereby vested in the said Clerk of the Peace, who is authorized, by Order of the Justices at Quarter-Sessions, to make an Assignment of all the said Estates, &c. to such of the Creditors as the major Part of them, who shall apply for the same, by Writing under their Hands, shall direct (for which Assignment the said Clerk shall take 1 s. and no more) in Trust for themselves and the rest of the Creditors: And the Assignees are empower'd, in their own Names, to sue for and receive the same, and to give Discharges to the Debtors, and to divide the same among the Creditors, who, within two Months after Notice of such Dividend published in the *Gazette*, shall produce to the Assignees an Oath in Writing, made before one Justice, proving his just Debt from the Person discharged, in equal Proportion, according to their respective Debts; for which Assignment the Clerk shall be paid 1 s. and no more, above the Stamp Duties. The Overplus to be render'd to the Person discharged, his Executors, &c.

XII. *Sec. 12.* Every Justice who shall grant any Warrant for a Person's appearing before the Quarter-Sessions, shall give a Writing importing Notice to all the Creditors of

of each Person petitioning, under his Hand and Seal, that he hath granted such Warrant, and that the Person hath petitioned to be discharged: And the Petitioner shall cause the said Notice, or a true Copy thereof, to be served on all his Creditors, inhabiting in *London, Westminster*, or within the Bills of Mortality, or within ten Miles of the *Mint*, 30 Days before the Quarter-Sessions; and publick Notice shall also be inserted in the *Gazette*, containing the Name, Trade or Occupation, and last Place of Abode of every Person so to be discharged, before he came into the *Mint*; (for which Notice in the *Gazette* there shall be paid 1 s. for each Name) 30 Days before the Quarter Sessions: And if it be proved on Oath before the said Justices, that such Notice was given, and that the Person petitioning was actually residing in the *Mint* on 11 Feb. 1722, and hath continued there till the Time of his petitioning; and if the Oath taken by him be not disproved by good Testimony of any credible Person on Oath, then the Justices shall discharge him, by Order of the Sessions, from any future Arrests for Debts owing before 11 Feb. 1722.

XIII. Sect. 13. If the Clerk of the Peace shall delay or refuse to give any Person discharged, within 60 Days after his Discharge, a Duplicate thereof, on the Payment of 1 s. or shall take more than 1 s. for such Duplicate, he shall forfeit to the Person entitled to the Duplicate 5 l. to be recovered with Costs of Suit by Action of Debt, &c. or by Order of the Justices in Quarter-Sessions, who may levy the same by Distress and Sale of the Offender's Goods.

XIV. Sect. 14. If any Person so residing, or pretending to reside in the *Mint*, shall forswear himself in any of the Matters aforesaid, and be thereof convicted, he shall be adjudged guilty of Felony, and shall forfeit and suffer as in Cases of Felony, without Benefit of Clergy.

XV. Sect. 15. No Person discharged pursuant to this Act shall at any Time after be imprisoned by Reason of any Judgment obtained, or any Debt, &c. contracted before 11 Feb. 1722; but on every Arrest it shall be lawful for any Judge of the Court where the Process issued, upon shewing the Duplicate of his Discharge, to release him out of Custody, on his giving a Warrant of Attorney to appear and plead to the Action.

XVI. Sect. 16. If any Action be brought against any Justice, Sheriff, Bailiff, Officer, or other Minister whatsoever, for any thing done in Pursuance of this Act, he may plead the General Issue, &c. and on Judgment for the Defendant he shall have treble Costs.

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XVII. *Seç.* 17. The Discharge of any Person by this Act, shall not discharge any other Person from any Debt; but all others shall remain liable as before.

XVIII. *Seç.* 18. Any Person discharged by Virtue of this Act, in Case a *Scire facias* or Action of Debt be brought against him on a Judgment obtained before 11 Feb. 1722, may plead generally, in Discharge of his Person from Execution, That he was actually residing in the *Mint* on the said Day, and was duly discharged at the Quarter-Sessions, &c. without pleading any other Matter specially; and in Case any other Action be brought for any other Debt due before the said Day, he may plead, That such Debt was contracted before the said Day, and that he was then residing in the *Mint*, and was duly discharged in the Manner above directed, without pleading any other Matter specially: Whereto the Plaintiff may reply, That the Defendant was not actually resident in the *Mint* on 11 Feb. 1722; or any other Matter which may shew the Defendant not to be entitled to the Benefit of this Act, or not duly discharged according to it: And if the Plaintiff be nonsuited, or discontinue his Action, or a Verdict pass against him, or Judgment be given against him on Demurrer, the Defendant shall have double Costs.

XIX. *Seç.* 19. No Person shall, by Virtue of this Act, have any Benefit of any Discharge from Debts or Arrests, unless such Discharge be obtained by 10 July 1724.

XX. *Seç.* 20. No Person against whom a Commission of Bankrupt hath been awarded, and whose Certificate hath not been allowed, shall be entitled to such Discharge.

XXI. *Seç.* 21. Every Person petitioning, shall leave with the Justice a true and exact List signed by him, of all his Creditors; and also a true Copy of the Schedule containing his Discovery, to be sworn to at the Quarter-Sessions: Which List and Copy shall be forthwith transmitted to the Clerk of the Peace for the County of Surrey, to be inspected at all seasonable Times by the Creditors, without Fee.

XXII. *Seç.* 22. No Person shall be entitled to any Benefit by a Discharge from Debts or Arrests, to be granted by this Act, who shall be really indebted in more than 50 *l.* for Principal to any one Person, besides Interest and Costs of Suit.

XXIII. *Seç.* 23. No Shelterer in the *Mint* shall be judg'd to have gained any legal Settlement in the Parish of St. George in the County of Surrey, by Virtue of having rented any Houses or Lands of the Value of 10 *l. per Annum*, or upwards, in the said Parish, unless such Shelterer have been

been rated, and hath paid to the Relief of the Poor of the said Parish, or have served Parochial Offices there.

Quakers.

I. Stat. 8 G. c. 6. Sect. 1. In all Cases where by Law any Quaker is required or permitted to make and subscribe the Declaration of Fidelity prescribed by the Act 1 W. & M. c. 18, *For exempting their Majesties Protestant Subjects, dissenting from the Church of England, from the Penalties of certain Laws*; or to make the solemn Affirmation and Declaration in the Form prescribed by 7 & 8 W. 3. c. 34, *That the Solemn Affirmation and Declaration of the People called Quakers, shall be accepted instead of an Oath in the usual Form, or to take the Effect of the Abjuration-Oath in the Form prescribed in the Act, 1 G. c. 6.* every such Quaker shall, instead of the first mentioned Declaration of Fidelity, make and subscribe a Declaration of Fidelity in the following Words, viz.

I A. B. do solemnly and sincerely Promise and Declare, That I will be True and Faithful to King George; and do solemnly, sincerely, and truly Profess, Testifie, and Declare, that I do from my Heart Abhor, Detest, and Renounce, as Impious and Heretical, that wicked Doctrine and Position, That Princes Excommunicated or Deprived by the Pope, or any Authority of the See of Rome, may be Deposed or Murdered by their Subjects, or any other whatsoever. And I do Declare, that no Foreign Prince, Person, Prelate, State, or Potentate, hath, or ought to have, any Power, Jurisdiction, Superiority, Prebeminence, or Authority, Ecclesiastical or Spiritual, within this Realm.

And instead of the Solemn Affirmation or Declaration in the Form prescribed by 7 & 8 W. 3, every such Quaker shall make the Solemn Declaration or Affirmation following, viz.

I A. B. do solemnly, sincerely and truly declare and affirm.

And instead of the Form prescribed by 1 G. c. 6. for the Effect of the Abjuration-Oath, every such Quaker shall take the Effect thereof in the following Words, viz.

I A. B. do solemnly, sincerely, and truly Acknowledge, Profess, Testifie, and Declare, That King George is Lawful and Rightful King of this Realm, and of all other His Dominions and Countries thereunto

thereunto belonging. And I do solemnly and sincerely Declare, That I do believe the Person pretended to be the Prince of Wales, during the Life of the late King James, and since his Decease, pretending to be, and taking upon himself the Stile and Title of King of England, by the Name of James the Third, or of Scotland, by the Name of James the Eighth, or the Stile and Title of King of Great Britain, hath not any Right or Title whatsoever to the Crown of this Realm, nor any other the Dominions thereunto belonging; and I do Renounce and Refuse any Allegiance or Obedience to him. And I do solemnly Promise, That I will be True and faithful, and bear true Allegiance to King George, and to Him will be Faithful against all Traiterous Conspiracies and Attempts whatsoever, which shall be made against his Person, Crown, or Dignity. And I will do my best Endeavour to Disclose and make Known to King George, and His Successors, all Treasons and Traiterous Conspiracies which I shall know to be made against Him, or any of Them. And I will be True and Faithful to the Succession of the Crown against him the said James, and all other Persons whatsoever, as the same is and stands Settled by an Act, Intituled, An Act Declaring the Rights and Liberties of the Subject, and Settling the Succession of the Crown, to the late Queen Anne, and the Heirs of her Body, being Protestants; and as the same, by one other Act, Intituled, An Act for the further Limitation of the Crown, and better Securing the Rights and Liberties of the Subject, is and stands Settled and Intailed, after the Decease of the said late Queen, and for Default of Issue of the said late Queen, to the late Princess Sophia, Electress and Dutchess Dowager of Hanover, and the Heirs of her Body, being Protestants. And all these things I do plainly and sincerely Acknowledge, Promise, and Declare, according to these express Words by me spoken, and according to the plain and common Sense and Understanding of the same Words, without any Equivocation, Mental Evasion, or Secret Reservation whatsoever. And I do make this Recognition, Acknowledgment, Renunciation, and Promise, heartily, willingly, and truly.

And all Persons authorized to administer, either the said former Declaration of Fidelity, or solemn Affirmation, or the Effect of the Abjuration-Oath, shall administer the same to the People called *Quakers* in the Words by this Act appointed.

II. Sect. 2. The Declaration of Fidelity, the solemn Affirmation, and the Effect of the Abjuration-Oath, appointed by this Act instead of the Forms prescribed by the recited Acts, shall be of the same Force and Effect, and no other, in all Courts of Justice, and elsewhere, as if such Quaker had taken them in the Forms prescribed by the recited Acts: And if any Person making such Affirmation as is hereby appointed, instead of the Affirmation in the Form prescribed

scribed by the said Act of 7 & 8 W. 3. shall be convicted of wilful, false and corrupt affirming and declaring any Matter or Thing, which, if sworn in the common or usual Form, would have amounted to wilful and corrupt Perjury; such Offender shall suffer the same Pains, Penalties and Forfeitures as are inflicted or enacted by the Laws of this Realm, against Persons convicted of wilful and corrupt Perjury.

III. *Sec.* 3. All Clauses, Proviso's and Exceptions in the recited Acts, not hereby altered or repealed, shall be of the same Force as they were before the making of this Act.

Quarentine.

I. *Stat.* 7 G. c. 3. *Sec.* 1. During the Present Infection, and in all future Times when any Country or Place shall be infected with the Plague; all Ships, Persons, Goods and Merchandizes imported in such Ships, into any Port or Place within *Great Britain* or *Ireland*, or the Isles of *Guernsey*, *Fer-sey*, *Alderney*, *Sark* or *Man*, from any Place so infected, or from any Place, the Inhabitants whereof are known to trade or correspond with any Country actually infected, or from any Place from whence his Majesty, with the Advice of his Privy Council, shall judge it probable that the Infection may be brought, shall be obliged to make their Quarentine in such Place, for such Time, and in such Manner as shall be directed by his Majesty, by his Order made in his Privy Council, and notify'd by Proclamation; and till such Ships, Persons and Goods shall have perform'd and be discharged from such Quarentine, no Persons or Goods shall be brought on Shore, or go or be put on Board any other Ship, in any Place within his Majesty's Dominions, unless in such Cases, and with such proper Licence, as shall be directed by Order, made by his Majesty in Council, and notify'd as aforesaid; And all such Ships, Persons, and Goods, and all Ships, Vessels, Boats and Persons, receiving any Goods or Persons out of the same, shall be subject to such Orders concerning Quarentine, and the Prevention of Infection, as shall be made by the King in Council, and notify'd by Proclamation.

II. *Sec.* 2. When any Country shall be infected, and any Order concerning Quarentine, and the Prevention of Infection, shall be made by his Majesty, and notify'd as aforesaid; as often as any Ship shall attempt to enter into any Port, the Principal Officer of the Customs in such Port, and such Person as shall be authorized to see Quarantine perform'd, shall go off, or cause some other Person to be appointed by him, to go off to such Ship; and shall at convenient Distance, demand of the Person having Charge of such Ship, who shall

shall upon such Demand give a true Account of the following Particulars, *viz.* The Name of the Ship; The Name of the Commander; At what Place the Cargo was taken on Board; What Places the Ship touch'd at in her Voyage; Whether such Places, or any, and which of them were infected; How long the Ship had been in her Passage; How many Persons were on Board when the Ship set Sail; Whether any, and what Persons, during the Voyage, had been, or shall be then infected; How many died in the Voyage, and of what Distemper; What Ships he or any of his Company went on board, or had any of their Company come on board his Ship in the Voyage; To what Place such Ships belong'd; and also the true Contents of his Lading. And in Case it appear on such Examination, or otherwise, that any Person on board be infected, then it shall be lawful for the Officers of any Ships of War, or of any Forts or Garrisons, and all other his Majesty's Officers, whom it may concern, on Notice thereof given to them, and for any other Persons whom they shall call to their Assistance, to resist the Entrance of such Ship into any Port or Place; and to oblige such Ship to depart out of the same, and to use all necessary Means for either of the said Purposes, be it by firing of Guns upon such Ship, or any other Kind of Force and Violence whatsoever. And if such Ship shall come from any Place visited with the Plague, or have any infected Person on Board, and the Master, &c. shall not discover the same, he shall be adjudg'd Guilty of Felony, and suffer Death as in Cases of Felony, without Benefit of Clergy. And if such Master, &c. shall, upon such Demand made, not make a true Discovery, in any other of the Particulars before mention'd, he shall forfeit 200 *l.* one Moiety to the Crown, and the other to him who will sue for the same in any of the Courts of Record at *Westminster*, *Edinburgh*, or *Dublin*, or in the proper Courts of *Guernsey*, *Jersey*, *Alderney*, *Sark*, or *Man*.

III. *Sec.* 3. If any Master, or other Person, having the Charge of a Ship liable to perform Quarentine, shall quit, or permit any Seaman or Passenger to quit such Ship, by going on Shore, or on board any other Vessel, before such Quarentine be fully perform'd, unless in such Cases, and by proper Licence, as shall be directed by the Order made concerning Quarentine; or shall not, within convenient Time after due Notice given by the proper Officer, cause such Ship and the Lading to be convey'd into the Place appointed for Quarentine; then every such Ship, with the Tackle, &c. shall be forfeited to his Majesty, and may be seized, sued for, and recover'd in the Court of Exchequer at *Westminster*, *Edinburgh*, or *Dublin*, or in the proper Courts of *Guernsey*,

Guernsey, Jersey, Alderney, Sark and Man; and such Master, for every such Offence, shall forfeit 200 *l.* one Moiety to the King, the other to him who will sue for the same; and if any Person shall quit such Ship by going on Shore, or on board any other Vessel, it shall be lawful for all Persons by Force and Violence, to compel such Person to return on board; and every Person so quitting, &c. shall for every Offence suffer six Months Imprisonment, and forfeit 200 *l.* one Moiety to the Crown, the other to the Prosecutor; to be recover'd by Action of Debt, &c. in any Court at *Westminster, Edinburgh, or Dublin*, or in the proper Courts of *Guernsey, &c.*

IV. *Seç. 4.* If at any Time hereafter, any Place in *Great Britain, Ireland*, or the Isles of *Guernsey, Jersey, Alderney, Sark, or Man*, shall be infected, and the same shall be made appear to the King in Council, it shall be lawful for his Majesty, with Advice of his Privy Council, during the Continuance of such Calamity, to make such Orders concerning Quarantine, and the Prevention of Infection, as shall be necessary for the Safety of his Subjects, and to notify the same by Proclamation; and all Persons, Officers Civil and Military, shall render due Obedience to all such Orders and Regulations, so made and notify'd.

V. *Seç. 5.* During the present Infection, and in all future Times, when any Country or Place shall be infected with the Plague, his Majesty may order Ships to be provided, or cause Houses or Lazarets for receiving Persons infected, or obliged to perform Quarentine, and Sheds, Tents, and other Places, proper for opening and airing of Goods, to be provided or erected, to continue for such Time as his Majesty shall think proper, in convenient Places in any Part of *Great Britain or Ireland*, to be allowed by two Justices of the Peace for the County, &c. where the same shall lie, under their Hands and Seals, either in Waste Grounds or Commons, or where such Waste Grounds are not sufficient, in the several Grounds of any Person whatsoever, not being a House, Park, Garden, Orchard, Yard, or planted Walk, or Avenue to a House, paying such Consideration to the Persons interested, as shall be agreed upon between them and any two Persons to be appointed by his Majesty, under his Sign Manual; and in Case of Difference, the Justices of the Peace at the next General Quarter-Sessions for such County, &c. where such Grounds shall lie, shall determine and settle the same; and such Determination shall be final; and his Majesty may hold such Ground, during such Time as he shall judge necessary for the Purposes aforesaid, paying such Rent, or other Consideration, as shall be agreed upon or adjudged.

VI. *Seff.* 6. The proper Officers may compel all Persons infected, or obliged to perform Quarentine, and all Goods and Merchandizes comprized in such Orders, to repair or be convey'd to some of the Ships, or Lazarets, Sheds, Tents, or other Places, provided according to such Orders made and notify'd as aforesaid.

VII. *Seff.* 7. If any Person infected, or obliged to perform Quarentine, shall refuse to repair, within convenient Time after due Notice given him by the proper Officer, to the Ship, Lazaret, or other Place appointed for him; or having been placed there, shall attempt to escape whilst he continues infected, or before Quarentine fully perform'd, it shall be lawful for the Watchmen, or other Persons appointed to guard such Ship, Lazaret, &c. by any Kind of Violence, to compel such Person to repair into such Ship, &c. there to continue and perform Quarentine; and if such Person shall actually escape, before he shall have fully perform'd the same, he shall be adjudged guilty of Felony, and suffer Death as a Felon, without Benefit of Clergy. *This Clause is repealed by 8 G. c. 10. Vide post Par. 33.*

VIII. *Seff.* 8. If any Person not infected, nor liable to perform Quarentine, shall enter any Ship, Lazaret, or other Place so appointed, whilst any Person infected, or being under Quarentine, shall be there; and shall return, or attempt to return, unless by Licence; it shall be lawful for the Watchmen and other Persons appointed to guard such Ship, Lazaret, &c. by any Kind of Violence, to compel such Person, to repair into some Ship, House, Lazaret, or other Place, so appointed as aforesaid, there to perform Quarentine; and if such Person shall actually escape out of such Ship, &c. where he shall be so placed, before he shall have performed Quarentine, he shall be adjudged guilty of Felony, and suffer Death as a Felon without Benefit of Clergy.

IX. *Seff.* 9. If any Place shall be infected, it shall be lawful for his Majesty to cause Lines or Trenches to be cast up or made about such infected Place, at a convenient Distance, in order to cut off the Communication between such Place and the rest of the Country; and to prohibit all Persons, Goods, &c. to pass or be carry'd over such Lines, unless by Licence, as aforesaid; and if any Person within such Lines shall attempt to come out of the same, unless by Licence, the Watchmen, &c. may, by any Kind of Violence, compel them to return; and if any Person shall actually come out of the Lines without Licence, he shall be adjudged guilty of Felony, and suffer Death as a Felon without Benefit of Clergy. *This Clause is likewise repealed by 8 G. c. 10. Vide post Par. 33.*

X. *Seff.*

X. *Seff.* 10. Any two Justices, next to the Place where any Ship shall be performing Quarentine, or wherein any infected Place shall be situate, or any Lines shall be made, may order the Inhabitants of so many Parishes, &c. about the same, as they shall judge necessary, and such Inhabitants are required in Pursuance of such Orders, on Notice thereof, to keep sufficient Watches, by Day and Night, upon such infected Place, and upon such Lines, Lazarets, Ships, &c. for such Time, in such Manner, and with such Numbers of Watchmen, as the Justices shall appoint; and such Watchmen shall not permit any Persons or Goods, to depart or be convey'd out of such infected Place, Lines, Lazarets, &c. unless by Licence; and if any Inhabitant shall refuse to keep such Watch, or to procure some able and sufficient Person to keep Watch in his Stead, and shall be thereof convicted on his Appearance or Default, on the Oath of one or more credible Witnesses, by one or more Justices for the County, &c. he shall forfeit not exceeding 100*l.* nor less than 10*l.* at the Discretion of such Justices; one Moiety to the Informer, the other to the Poor of the Parish, to be levied by Distress and Sale of the Offender's Goods, by Warrant of the Justices before whom convicted; and shall also be committed to Prison without Bail or Mainprize for two Months, and from that Time till Payment of the Sum so adjudg'd by the Justices; and if any Person retained to serve as a Watchman, shall be guilty of any Breach or Neglect of his Duty, and be thereof convicted in the Manner aforesaid, he shall, for every Offence, forfeit and be committed as aforesaid.

XI. *Seff.* 11. If any Officer of the Customs, or other Officer or Person whatsoever, to whom it shall appertain to execute any Orders concerning Quarentine, and the Prevention of Infection, shall be guilty of any wilful Breach or Neglect of his Duty in that Behalf, he shall forfeit his Office, and be incapacitated; and shall also forfeit 100*l.* one Moiety to the King, the other to the Prosecutor, to be recover'd by Action of Debt, &c.

XII. *Seff.* 12. When any Foreign Country or Place shall be infected, all such Goods as shall be particularly specify'd for that Purpose, in Orders made concerning Quarentine, and the preventing of Infection, imported into any Part of his Majesty's Dominions, in any Vessel whatsoever, shall be subject to such Orders.

XIII. *Seff.* 13. If it shall appear to his Majesty, that any Vessel shall come into any Place in his Dominions from any Place infected, or being laden with any Goods taken on Board at any Place infected, or from on Board any Vessel infected, or that there be any Persons or Goods on Board actually infected; then, in any of the said Cases, it shall be lawful

for his Majesty, by Order in Council, to impower any Persons to burn such Ship, with the Tackle, &c. and such infected Goods, or so much thereof as shall be necessary for preventing the spreading of the Infection.

XIV. *Señ. 14.* After Quarentine duly perform'd by any Ship or Persons, and on Proof by the Oaths of the Master, and two of the Persons belonging to such Ship; or on Proof by the Oaths of two credible Witnesses before the Customer, Controller, or Collector of the Port where such Quarentine shall be perform'd, or the next Port thereto, or before any of their Deputies, or any Justice of the Peace living near to such Port, or (where Quarentine shall have been perform'd in any Inland Place) before two near Justices, or (if perform'd within the Isles of *Guernsey*, *Fersey*, *Alderney*, *Sark*, or *Man*) before two Jurats, or Magistrates of any of the said Isles, That such Ship, and all such Persons have duly perform'd Quarentine, and that the Ship and Persons are free from Infection; then such Customer, &c. together with the said Justice, or two Justices, or Jurats as aforesaid, are to give a Certificate thereof; and thereupon such Ship and Persons shall be liable to no further Restraint.

XV. *Señ. 15.* The Officer before whom such Oath shall be made, and by whom such Certificate shall be given, shall take no more than 1 s. for each Oath and Certificate, above Stamp-Duties.

XVI. *Señ. 16.* All Goods shall, after Quarentine perform'd, be open'd and air'd, in such Places, for such Time, and in such Manner, as shall be directed by his Majesty, by such Order made and notify'd as aforesaid; and after such Order shall have been duly complied with, and Proof shall be made thereof by the Oaths of two or more credible Witnesses, before the Customer, &c. of the Port lying next to such Place where the Goods shall be carried, or any of their Deputies, and one near Justice, or before two Jurats or Magistrates of the Isles of *Guernsey*, &c. upon Certificate and Return of such Proof by such Customer, &c. to the Commissioners of the Customs in *Great Britain* or *Ireland*, or to the Governor, or Commander in Chief, being on the Place, in the Isles of *Guernsey*, &c. such Goods shall be forthwith discharged, by order of any two of the said Commissioners, or by the Governor, &c. of any of the said Isles; for every of which Oath, Certificate and Order, no more shall be taken than 1 s.

XVII. *Señ. 17.* If any Officer shall demand more than is hereby allow'd for any such Oath, &c. he shall forfeit 100 l. one Moiety to the Crown, the other to him who will sue for the same by Action of Debt, &c.

XVIII. *Señ. 18.* During the present Infection, and in all future Times, when any Part of *Great Britain, Ireland, or the Isles of Guernsey, Jersey, Alderney, Sark, or Man, or France, Spain, Portugal, or the Low-Countries,* shall be infected with the Plague, it shall be lawful for his Majesty, by his Proclamation, to prohibit and restrain all Boats and Vessels, under the Burthen of 20 Tuns, from sailing out of any Port or Place of *Great Britain or Ireland, or the Isles of Guernsey, &c.* till Security be given by the Master, to the Satisfaction of the principal Officer of the Customs, or the chief Magistrate of the Port or Place from which such Vessel shall sail, by Bond taken to the King, with sufficient Sureties, in the Penalty of 500 *l.* with Condition, That if such Vessel shall not go to, or touch at any Country or Place, to be mentioned for that Purpose in such Proclamation; and if the Master, and all the Mariners and Passengers, shall not go on Board any other Ship at Sea; and if such Master shall not suffer any Person to come on board such Ship at Sea, from any other Ship, and shall not receive any Goods whatsoever out of any other Ship, then such Bond shall be void: For the making of which Bond no more shall be taken than 1 *s.* besides Stamp-Duties; and if any such Vessel shall pass out of any Port, &c. before such Security given; she shall, together with her Tackle, &c. be forfeited to the King, and may be seized, sued for and recovered in the Court of Exchequer at *Westminster, Edinburgh, Dublin,* or in the proper Courts of the Isles of *Guernsey, &c.* And the Master of, every Mariner sailing in such Vessel, being thereof convicted, on their Appearance or Default, by the Oath of one or more credible Witnesses, before one or more Justices where such Offender shall be found, shall forfeit 50 *l.* one Moiety to the Informer, the other to the Poor of the Parish where such Offender shall be found; to be levied by Distress and Sale of the Offender's Goods, by Warrant from the Justice or Justices before whom convicted; and for want of Distress, such Justice or Justices shall commit the Offender to Prison for three Months, without Bail or Mainprize. And if such Offender be found in any of the Isles of *Guernsey, &c.* and be lawfully convicted of such Offence, in any Action to be founded on this Act, in the proper Court of any of the said Isles, such Offender shall forfeit 20 *l.* one Moiety to the Informer, the other to the Poor of the Parish where found; and shall suffer Imprisonment without Bail or Mainprize for three Months.

XIX. *Señ. 19.* Persons receiving or buying any Goods clandestinely run, before the same are legally condemned, knowing the same to be so clandestinely run, and being convicted thereof, on their Appearance or Default, on the Oath

of one or more credible Witnesses, by one or more Justices of the County, &c. where the Offence shall be committed, or the Offender found, shall forfeit 10 l. one Moiety to the Informer, and the other to the Poor of the Parish where the Offence shall be committed; to be levied by Distress and Sale; and for want of such Distress, the Justice before whom convicted shall commit the Offender to Prison, without Bail or Mainprize, for three Months.

XX. *Seçt.* 20. As often as his Majesty shall make any Orders concerning Quarentine, and the Prevention of Infection, and notify the same by Proclamation, such Proclamation shall be read upon the next *Sunday* after the Receipt thereof, and the first *Sunday* in every Month afterwards, during the Time such Orders shall continue in Force, immediately after the Prayers and Sermon, in all Parish-Churches, &c. within such Counties and Places as shall be specify'd in such Proclamation.

XXI. *Seçt.* 21. If any Action or Suit be commenced against any Person for any Thing done in Pursuance of this Act, he may plead the General Issue, &c. and recover treble Costs.

XXII. *Seçt.* 22. This Act shall commence and take Effect from 10 Feb. 1720, and continue in Force for three Years; and from thence to the End of the then next Session of Parliament; [*Vide post Par. XXXII.*] and from the said 10 Feb. the Act 9 A. c. 2. *To oblige Ships coming from Places infected more effectually to perform Quarentine*, (as to Matters arising after that Day) shall be absolutely repealed.

XXIII. *Seçt.* 23. The Watches by this Act directed to be kept, shall be maintained at the Charge of the County or Riding where kept; and the Justices in their Quarter-Sessions shall raise the Monies upon the respective Counties or Ridings, in such Manner, and by such Ways, as they are empower'd to raise Money for County Gaols and Bridges; the Money so raised shall be paid to the chief Constables of each Division, to be distributed as the Justices shall order to the Persons entitled to the same on Account of keeping such Watches.

XXIV. *Seçt.* 24. If any Officer or other Person appointed to see Quarentine perform'd, or any Watchman, shall knowingly suffer any Person, Ship or Goods, to depart, or be convey'd, out of such Town or Place infected, or such Lines, Lazarets, &c. unless by Licence, he shall be adjudged guilty of Felony, and suffer Death as in Cases of Felony, without Benefit of Clergy.

XXV. *Seçt.* 25. Persons aggrieved by any Order of the Justices, may appeal to the Quarter-Sessions, to be held for the same County, &c. next after Notice of such Judgment of the Justices: And the Justices in the said Quarter-Sessions,
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are to summon Witnesses, examine them on Oath, and finally determine the Matter of the said Appeal; and if they give Judgment against the Appellant, they shall award to the Party in whose Behalf such Appeal shall be determin'd, such reasonable Cost and Charges to be paid by such Appellant, as to them shall seem meet.

XXVI. *Seff.* 26. No Attainder of Felony by Virtue of this Act, shall work any Corruption of Blood, or Forfeiture of any Goods, Chattels, Lands, Tenements, or Hereditaments.

XXVII. *Stat.* 8 G. c. 8. *Seff.* 1. It shall be lawful for the King's Majesty, by one or more Proclamations, to be issued before 12 Dec. 1722, to prohibit all Persons to go to any Kingdom or Place, which shall be infected with the Plague; and to export out of *Great Britain* and *Ireland*, or any the Dominions thereunto belonging to any Place infected, to be specify'd in such Proclamation, any Goods or Commodities whatsoever, for and during such Time, until and before 25 March 1723, as shall be specified in such Proclamation, under the Penalties herein after mentioned, and in such Manner, as by such Proclamation shall be prescribed.

XXVIII. *Seff.* 2. The King's Majesty may, by the same or any other Proclamation, to be issued before 12 Dec. 1722, prohibit all Persons whatsoever to come from any Country or Place infected, specify'd in such Proclamation, into *Great Britain* or *Ireland*, or the Dominions thereunto belonging; and to import any Goods or Commodities whatsoever, from any such Country or Place, before 25 March 1723.

XXIX. *Seff.* 3. All Goods, Wares, &c. exported or shipped for Exportation, contrary to the Meaning of such Proclamation, and of this Act, and the Vessels on which they shall be so exported or shipped, with the Tackle, Furniture, and Apparel thereof, shall be forfeited, and may be seized where-ever found; and such Seizures may be sued for and recovered by the same Means, Rules, and Remedies, and in such Manner, as any Goods seized for unlawful Importation or Exportation may be sued for, &c. And every Person who shall have exported, or shipped for Exportation any such Goods. &c. shall forfeit double the Value thereof, to be ascertained and recover'd as the Value of uncustomed or prohibited Goods is by Law to be ascertained, &c.

XXX. *Seff.* 4. If at any Time after the issuing such Proclamation, any Person shall go to any Country or Place, infected, contrary to the Meaning of such Proclamation and of this Act, he shall incur a *Premunire*: And if any Ship or Person, coming from any Country or Place infected, shall attempt to enter into any Port or Place in *Great Britain* or *Ireland*,

Ireland, or any the Dominions thereof, it shall be lawful for any Person whatsoever, to resist and oppose the Entrance of such Ship or Person into such Port or Place, and the Landing of any Goods out of such Ship; or to oblige such Ship or Persons to depart out of the same, and to use all necessary Means for the Purposes aforesaid; be it by firing of Guns upon such Ship or Persons, or any other Kind of Force whatsoever. And if such Ship or Persons, or any Goods brought on board the same, shall actually enter, or be landed in any such Port, every Person so offending, being convicted thereof, shall be adjudged guilty of Felony, and suffer Death as a Felon, without Benefit of Clergy; and such Ship, Goods, &c. shall be forfeited; and his Majesty may by his Order in Council, empower any Persons to burn or destroy such Ship, and the Tackle, &c. thereof, and Cargo on Board, and also the Goods so landed: And every Person who shall have procured such Goods to be imported, shall forfeit treble the Value thereof, to be ascertained and recovered as the Value of uncustomed or prohibited Goods is by Law to be ascertain'd and recover'd.

XXXI. *Señ. 5.* Two Third Parts of all the said Penalties and Forfeitures, to be sued for by Virtue of this Act, shall be to the Use of the Crown, the Charges of Prosecution and Recovery being born by his Majesty, and the other Third to the Use of him that shall seize, inform or sue for the same.

XXXII. *Señ. 6.* The Act 7 G. c. 3, shall not continue in Force any longer than till 25 *March* 1723.

XXXIII. *Stat. 8 G. c. 10. Señ. 1.* The Clauses in the Act 7 G. c. 3, which give Power to remove Persons infected with the Plague, to Ships, Lazarets, or other Places, or to make Lines or Trenches about any City, Town or Place infected, and all other Powers in the said Act, to compel any Persons to remove from their Habitations, to any Ship, Lazaret, &c. are hereby repealed and made void from and after 25 *March* 1722.

XXXIV. *Señ. 2.* Nothing in this Act shall be construed to repeal any of the Powers or Penalties in the said Act 7 G. relating to Persons who shall be on Board any Ship obliged to perform Quarentine, or shall come on Shore, or go on Board any other Ship from any Ship obliged to perform Quarentine; but such Powers and Penalties shall remain in as full Force, as if this Act had not been made.

XXXV. *Stat. 8 G. c. 18. Señ. 14.* If the Master or other Person, taking Charge of any Ship or Vessel, liable to perform Quarentine shall depart with, or suffer such Ship to depart

depart from the Place appointed for the Performance of Quarentine, without Licence of the Officers appointed to see the same perform'd; such Ship, with her Tackle, &c. shall be forfeited to the King, and the Master, &c. shall forfeit 200*l.* one Moiety to the King, and the other to the Informer.

Recognizance.

I. Stat. 8 G. c. 25. Sect. 1. After 25 March 1722, the Rolls appointed by the Statute 23 H. 8. c. 6, to be made of Recognizances in Nature of a Statute Staple, shall be varied and made in Manner following, viz. The Clerk of the Recognizances, or his Deputy, shall yearly prepare and keep three Parchment Rolls, as usual, and shall, at the Times of acknowledging every such Recognizance, fairly write or engross, instead of the Heads or Contents thereof, on the said Rolls, the full Tenor, *in hæc verba*, of every such Recognizance; and one of the said Rolls shall contain all the Recognizances to be taken before the Chief Justice of the King's Bench; and one other of them shall contain all the Recognizances to be taken before the Chief Justice of the Common Pleas; and the other of them, all the Recognizances before the Mayor of the Staple at *Westminster*, and Recorder of *London*; and at the Time of every such Acknowledgment, the Persons before whom such Recognizances shall be taken, and also the Party acknowledging the same, shall also sign their Names to the Roll of every Recognizance so taken under the Inrollment thereof, as well as sign and seal the Recognizance; and all the three Rolls so signed, shall, at the End of every Year, be fixed together, and thereby be made one Roll as accustomed, and be and remain in the Custody of the Clerk of the Recognizances, or his Deputy, in his publick Office in *London* or *Middlesex*, who shall keep a Docket to refer to the said Rolls, for the Benefit of Searches by Purchasers and others, as is used to be; to which Docket shall be added the Day, Month and Year of every such Acknowledgment.

II. Sect. 2. In Case any Loss or Damage shall happen to any such Recognizance, the same shall, from any of the said Rolls, in Order to have Process thereon, be, by the said Clerk or his Deputy, by Certificate under his Seal, certified into Chancery, in like Manner as Recognizances by the said Act 23 H. 8. are directed; and as if the said Recognizance had not been lost or damaged; and to such Certificate,

cate, and all other Certificates of such Recognizances, shall be annexed a true Transcript of the Entry thereof, to be taken from the Rolls in his Custody; and a like Certificate, with such Transcript annexed, shall be made, and left and remain with the Clerk of the Petty Bag Office in Chancery; and shall be as good and effectual, as if the Recognizance under Seal had been left in the same Office; and in Order to prove such Statutes or Recognizances in Case of such Loss or Damage, a true Copy from the Rolls, sign'd by the Clerk or his Deputy, and duly proved, shall be deemed good Evidence of such Recognizances, and be of the same Validity as if the original Recognizances were produced under Seal.

III. *Seç. 3.* The Prosecutor of every such Recognizance shall, at the Time of suing out the first Process or Writ of Extent thereon, deliver into the Office, which shall make out such Process or Extent, a Note under his Hand, testifying the Sum or Value of the Damages, thereby intended to be extended or levied thereon; which Sum the said Officer shall insert in the Writ to be only intended to be extended or levied thereon, and no more. And the Poundage of one Halfpenny, payable on all Process, shall be taken and paid only for every Pound, according to the said Sum or Value so inserted, and intended to be extended or levied.

IV. *Seç. 4.* In case it shall, at any Time before or after the filing or returning of any *Liberate* sued out on such Extent, be made appear to the Court of Chancery, that sufficient has not been extended or levied to satisfy the Recognizance, or that any Omission or Error has happen'd in making, suing out, executing or returning any of the said Writs, or any Process thereon; or should it happen that any Lands, Tenements, or Hereditaments, shall hereafter be evicted from any Person, who shall have extended the same, by Virtue of such Writ or Process, then the Court of Chancery shall award one or more Re-extents for satisfying the same; and Writs of *Liberate* may be sued out thereupon.

V. *Seç. 5.* No Sheriff shall take for the Extent and *Liberate*, and *Habere facias Possessionem* or *Seisinam* on the real Estate, and levy on the personal Estate, by Virtue of such Extent, any more than the Fees appointed by 3 G. c. 15, for executing a Writ of *Elegit*, and *Hab. fac. Poss.* or *Seisinam*, under the like Penalties, and to be in like Manner recovered, as the same are appointed in the said Act.

Rivers.

I. Stat. 6 G. c. 27. Sect. 1. *William Woolley, Thomas Gifborne, Benjamin Blundell jun. Thomas Rivett Esqrs; Abraham Crompton, John Chambers, Francis Cokayne, Robert Wagstaffe, Samuel Fox, and Samuel Shepperdson Gent.* their Heirs and Assigns, shall hereby have Power, at their proper Costs and Charges, to make the River *Darwent* navigable from the Mouth of the said River to the Town of *Derby*, up the *Holmes Mills Fleam*, and so into the *Moreledge* in the said Town; and for that Purpose to scour, enlarge, or straiten the same, to dig the Banks, and to make new or larger Cuts or Passages for Water, thro' the Grounds adjoining, and to remove all Trees, Roots, or other Impediments which may hinder the Navigation; and to set up Locks, Wears, Turnpikes, &c. where they shall think fit; and to alter and repair the same; and to make and use any Ways, Passages, &c. for conveying Commodities to and from the said navigable Passage, or any Part thereof; and to carry, lay and work on the Lands adjoining, all Materials for erecting of Dams, &c. and to make Towing-Paths, &c.

II. Sect. 2. The Undertakers, before they meddle with any Lands, &c. shall first agree with the Proprietors for the Damage they may sustain, or procure some Order to be made therein by the Commissioners herein after named.

III. Sect. 3. Commissioners constituted, (*about 150 in Number, whose Names see in the Act*) and any nine of them are empower'd to mediate between the Undertakers and the Owners and Occupiers of Lands, &c. alter'd or used about making the said River navigable, and to settle what Satisfaction every Person shall have for his Loss or Damage; and to proportion what Share of the Money shall be paid to any Tenant for his respective Damage; and if any Person, having convenient Notice in Writing, shall not within ten Days after, treat or agree in the Premises, or through Disability cannot, the Commissioners, or any nine of them, are empower'd to issue Precepts to the Sheriff of the County of *Derby*, commanding him to return a Jury of 24 Persons of the said County, not being Burgesies of *Derby* inhabiting within the said Town, and the Sheriff is required to return, &c. on Forfeiture of 50 *l.* for every Default in not making such Return, and for every Person return'd, not being qualify'd, 40 *s.* to his Majesty; and shall return in Issues on every such Person at least 10 *s.* out of which Persons so returned, a Jury of twelve Men, shall on their Oaths, enquire of, and assess such Damages as they shall think fit to be awarded

ed to the Owners of the Lands, &c. And the Commissioners shall give Judgment for the Sums so assessed, which shall be binding and conclusive to all Parties; which Verdict, Judgment, &c. shall be set down in Writing and kept by the Commissioners Clerk.

IV. *Seff.* 4. On Payment or Tender of the Money so assessed to the Persons concerned, or on Payment to the Clerk for the Use of such Persons, to be paid them on Demand without Fee, the Undertakers may proceed; and this Act shall indemnify the Commissioners and Undertakers against the said Owners, and all claiming under them.

V. *Seff.* 5. As well the Parties, as the Undertakers, are to have their legal Challenges against the Jurymen; and the Commissioners may impose a reasonable Fine on any Person summoned on such Jury, that shall refuse to be sworn, or being sworn, not giving their Verdicts, or otherwise neglecting their Duties; and may levy such Fines by Distress, so as no such Fine exceed 40*s.* And all such Fines are to be paid to the Undertakers, to be employ'd towards carrying on the said Navigation.

VI. *Seff.* 6. No Commissioner shall sit or act in any Case where he is particularly concerned.

VII. *Seff.* 7. If any Loss or Damage shall happen to the Owners or Occupiers of any adjoining Lands, or to any Mills, Wears, Bridges, Fisheries, &c. by any Act of the Undertakers, their Workmen, &c. then they shall pay to the Party grieved such Sum, and within such Time, as any nine of the Commissioners shall judge reasonable; for which the Party damnify'd shall have an Action of Debt in any Court of Record against the Undertakers, to recover the same with their Costs and Damages.

VIII. *Seff.* 8. It shall be lawful for the Undertakers, their Assigns, &c. to demand and take, at all Times hereafter, from all Persons that shall carry Wares, &c. on any Part of the said River, such reasonable Rates as they shall think fit, not exceeding 1*s.* per Ton; to and from the Borough of Derby, to and from the River of Trent: And on Denial of Payment, may sue for the same; or distrain the Goods, and appraise and sell the same, if such Distress be not redeemed within ten Days; leaving the Overplus in the Hands of the Constable, for the Owner's Use.

IX. *Seff.* 9. In Case of the Death, or Refusal to act, of any of the Commissioners, any nine of the Survivors may, under their Hands and Seals, appoint any other Person, residing within the County of Derby, and having 100*l.* per Ann. in Lands, so as there may be always twenty Commissioners at the least.

X. *Seç.* 10. The Boatmen, &c. may have Winches and other Engines, and with the same, and by the Strength of Men, Horses, &c. going on the Banks of the River, may hale the Barges, &c. up and down the navigable Passage.

XI. *Seç.* 11. The Undertakers shall not meddle with any Lands, &c. till they have made Satisfaction ; except to survey and lay out the Ground.

XII. *Seç.* 12. If the Undertakers, by making any Wear or Dam, raise the Course of the Water above its usual Height, whereby the adjacent Lands may be liable to be overflow'd ; they shall cause the Banks to be proportionably raised and strengthen'd, in such Manner as nine Commissioners shall appoint ; so that the new Banks may be as able to contain the Water, as the old Banks were ; and shall maintain and repair the same.

XIII. *Seç.* 13. On Complaint made to any nine of the Commissioners, of any Damage sustain'd from the Overflowing of the River, occasion'd by any Thing done by the Undertakers, the Commissioners are to issue their Warrant to the Sheriff of *Derby*, to return before them, under the Penalty of 10 s. in Issues, a good and sufficient Jury, who shall upon Oath enquire how far the Undertakers have occasioned such Damage, and shall assess the Damage so occasion'd ; according to which Verdict and Assessment the Commissioners shall give Judgment for the Undertakers to pay the Party grieved his Damage, with all Costs and Charges ; and if the Undertakers shall not satisfy and pay the Sum so assessed within 20 Days, the Constable, &c. of the Place where the Damage shall be done, by Warrant from the Commissioners, shall levy such Damage by Distress and Sale of the Undertakers Goods, rendring back the Overplus ; and in Defect of such Distress, the Commissioners may commit the Undertakers, their Heirs, &c. to the Common Gaol of the County of *Derby*, without Bail or Mainprize, till Payment.

XIV. *Seç.* 14. The Place of Meeting for the Commissioners shall be in the County-Hall in *Derby*.

XV. *Seç.* 15. The Undertakers shall, at their own Costs, make and maintain Gates, Bridges, Passages and Stiles, in all the Hedges and Fences in the Towing-Paths and Ways to be set out ; and shall not obstruct or destroy any Fords, Bridges, Highways, or Passages over the said River, without making other Conveniences at or near the same Places.

XVI. *Seç.* 16. The Undertakers shall, at their own Costs, set up and maintain Bridges for the Owners of Lands

to come at their Grounds, in such Manner as the Commissioners shall direct.

XVII. *Seç.* 17. If any Action shall be brought against any Commissioner, &c. for any Thing done in Pursuance of this Act, he may plead the General Issue, &c. and on Verdict, &c. recover double Costs. This Act shall be allowed as a Publick Act, and all Judges, &c. shall take Notice thereof without pleading the same.

XVIII. *Seç.* 18. The Commissioners shall have Power to determine all Controversies which shall arise between Millers, Owners of Fisheries, Lock-keepers, Boatmen, and others navigating upon the River; and to assess Damages to the Party grieved, who for Recovery thereof shall have an Action of Debt in any of the Courts at *Westminster*, or any other Court of Record.

XIX. *Seç.* 19. Every Barge or Boat-Master shall be answerable for any Damage done by this Vessel or Boat's Crew, to any Wears, Locks, Fisheries, &c. on the said River; and for all Trespasses done to the Owners of Lands bordering thereon; except what is allowed by this Act, and necessary for the said Navigation; and such Boat-Master may be sued for the same.

XX. *Seç.* 20. All Proceedings of the Commissioners, Verdicts of Juries, Judgments, Orders, Sentences and Decrees, and all Instruments whereby new Commissioners shall be appointed, and other Proceedings about the said Navigation, shall be enter'd in Books by the Commissioners Clerk; and all Persons may have Recourse to the same *gratis*, and take Copies thereof, paying for every Copy, not exceeding 200 Words 1 s. and so proportionably; and the same shall be adjudged to be Records; and the same, or true Copies thereof, shall be allowed as Evidence.

XXI. *Seç.* 21. No Person shall be capable of acting as a Clerk to the Commissioners, till he shall have given good Security for the Payment of all Money, as by Virtue of this Act, shall come to his Hands, to the Person for whose Use the same shall be to him paid.

XXII. *Seç.* 22. The Undertakers shall erect a sufficient Wharf near *Holms Mills Fleam* or *Race*, or in the *Morledge* adjoining thereto, for the convenient Lading and Unlading of Goods; which Wharfs shall be publick; and any Person may lade or unlade their Goods there, and lay their Boats or other Vessels; for all which Goods 2 d. per Ton shall be paid above the Rates aforesaid.

XXIII. *Seç.* 23. All the King's Liege People, paying the Duties, and performing the Conditions prescribed, shall have free Passage on the said River, from the River *Trent*

to the Town of *Derby*, and back again; and have all necessary Liberties for haling and navigating without any Obstruction.

XXIV. *Señ.* 24. All Owners and Occupiers of Lands, &c. near the said River, shall have free Liberty to keep and use any Boats for Pleasure, and to convey Manure, Corn in the Straw, Hay, and other Produce of their Lands, without paying any Thing for the same.

XXV. *Señ.* 25. Provided, That the Owners of the said Boats shall not carry any Goods or Merchandize, other than what shall be necessary for the Time such Boats are used for Pleasure.

XXVI. *Señ.* 26. The Commissioners shall not have Power to determine any Damages or Satisfaction to be made by the Undertakers, or by any others navigating on the said River, and the Owners of Lands, &c. in any other Manner than by the Verdict of a Jury of 12 Men, to be return'd and sworn as aforesaid, upon full hearing of all Parties concerned.

XXVII. *Señ.* 27. If any Person, other than the Commissioners named in this Act, or the Mayor and Aldermen of *Derby*, shall presume to act as a Commissioner, not being qualify'd, he shall forfeit for every Time he shall so act, 50 l. to be recover'd by Action of Debt, &c. one Moiety to the King, the other to the Prosecutor: Provided the Suit be commenced within six Months after the Offence committed.

XXVIII. Stat. 6 G. c. 28. *Señ.* 1. *William Squire*, Esq; and *Thomas Steeves*, Gent. both of *Liverpool*, who are hereby appointed Undertakers, their Heirs or Assigns, are impower'd, at their proper Costs and Charges, to make the River *Douglas* alias *Astrand* navigable from the River *Rible*, up to *Miry-Lane End* in the Township of *Wigan*, and to maintain and use such Navigation in such Manner, &c. as they shall think fit; and for these Purposes to clear, scour, open, enlarge or streighten the said River, or any Streams, Brooks, &c. which do run, or may be brought into the same; and to cut the Banks thereof; and to make new or larger Trenches or Passages on the Lands adjoining; and to remove all Trees, Gravel or other Impediments, which may hinder the Navigation; and to build Bridges, Sluces, Locks, Wears, Pens for Water, Stanks, Dams, Cranes, Wharfs, and other Works, as and where they shall think fit; and to alter and repair the same; and to make and use necessary Ways and other Conveniencies, for the carrying of Goods and all Manner of Materials for compleating the said Works, and for altering and repairing the same; and to lay and work
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the said Materials on the Ground, near to the Place where the said Works are made; and to heighten or alter Bridges, turn Highways, in or near the said River, Streams, &c. and to pull down or alter any Mill, Wear, or other Obstruction; and to set out and make Towing-Paths, Banks and Ways, for Towing of Boats, &c. and to do all other Matters and Things necessary for making and preserving the said River, Streams, &c. navigable; the Undertakers first giving Satisfaction to the Proprietors.

XXIX. *Señ.* 2. Commissioners appointed (*whose Names see in this Act*) for adjusting all Matters about which any Difference shall arise between the Undertakers and the Proprietors or Occupiers of Mills, Lands, &c. and any five of the Commissioners are to mediate between the Undertakers and the Owners and Occupiers of such Lands, Mills, &c. near the said River, as shall be intended to be pulled down, cut, damaged, or made Use of, for effecting the said Undertaking; and to determine what Satisfaction shall be given; and to adjust what Proportion of the Purchase-Money every Tenant or other Person having a particular Estate in any of the Premises, shall have for his respective Interests: And if the Undertakers or other Persons shall be dissatisfy'd with any Determination of the Commissioners, or shall decline such Mediation, or refuse to deal or agree with the Undertakers, or through any Disability cannot; then the Commissioners are to issue their Warrant to the Sheriff of the County Palatine of *Lancaster*; or in Case such Sheriff be interested in the Thing in Question, or related to any of the Parties concerned, then to the Coroners of the said County, for impanelling and returning a Jury of 24 Men, to appear before them at such Time and Place as by such Warrant shall be directed; and also to return in Issues on every Person so impanelled 20 s. which in Default of Appearance shall be estreated and levied to the Use of the Undertakers; and in Default of a sufficient Number of Jurymen appearing, such Sheriff, or his Deputy, or Coroners in Case of Disability in the Sheriff, shall return other honest and indifferent Men of the Standers-by, to make up the Jury to the Number of twelve; and all Parties concerned shall have their lawful Challenges against any of the Jurymen: And the Commissioners are empower'd, by Warrant, to summon before them all Persons as shall be thought proper to be examined as Witnesses; and may order the Jury to view the Premises. Which Jury shall enquire of, and assess such Damages as they shall think fit to be awarded to the Owners or Occupiers of any Lands, &c. as shall be used for or damnify'd by making the said River navigable; and the Commissioners shall give Judgment for the

the Sums so assessed, and determine all Controversies relating to the Premises: Which Verdict, Judgment, and Determination, shall be binding to all Parties, and shall be kept amongst the Records of the Quarter-Sessions for the County Palatine of *Lancaster*, and shall be deemed good Evidence in any Court of Law or Equity. And on Payment of the Money, or legal Tender thereof, or on Refusal to receive it, then on Payment to such Persons as the Commissioners shall appoint, for the Use of the Party interested, the Undertakers may remove, pull down, dig, cut, or use so much of the said Mills, Lands, &c. for which such Satisfaction shall be so decreed; and may make, erect and do any Work, Matter or Thing, for effecting the Navigation, and enjoy the same for their own proper Use; and this Act shall indemnify the Commissioners, Undertakers, &c. against all Persons whatsoever.

XXX. *Seç. 3.* No Person shall sit or act as a Commissioner, in any Case where he is interested; or who is not seized of a Freehold Estate in the said County of 100 *l. per Annum*.

XXXI. *Seç. 4.* Persons summoned to give Evidence, not appearing, or refusing to be sworn, forfeit to the Undertakers for every such Neglect or Refusal, 40 *s.* to be levied by Distress, or recovered by Action of Debt.

XXXII. *Seç. 5.* In Case of the Death of any of the Commissioners, or of their Refusal to act, any five of the other Commissioners are impower'd to nominate others.

XXXIII. *Seç. 6.* It shall be lawful for the Undertakers, their Heirs and Assigns, at all Times hereafter, to demand and take for every Tun-Weight of Coal, Camel, Stone, Slate, or other Commodities, carry'd in any Boat, &c. to or from any Part of the River, between the *Rible* and *Miry-Lane End* in *Wigan*, or down the River from *Wigan* to the *Rible*, any Sum, not exceeding 2 *s.* 6 *d.*

XXXIV. *Seç. 7.* The Rates for Coals and Camel, carry'd from *Miry-Lane End*, and from every Coal and Camel Work, or from Places near the River, below *Miry-Lane End* down to the *Rible*, shall be equally one and the same. On Neglect or Refusal to pay the Duties on Demand, the Undertakers may sue for the same, or stop the Goods for which the Duty ought to be paid.

XXXV. *Seç. 8.* The Undertakers may set up and use Winches, and other Engines; and with the same, by Strength of Men, Horses, or Beasts, going on the Banks, may draw, tow, or hale up any Barges or other Vessels.

XXXVI. *Seç. 9.* The Master or Owner of any Barge, &c. shall be responsible for the Damage done by his Vessel
or

or Boat's Crew, to any Weirs, Locks, &c. or for any Damage done to the Owners or Possessors of any Buildings, Lands, &c. and may be sued for the same in any Court of Record; and if found guilty, &c. the Plaintiff shall recover his Damages and full Costs of Suit.

XXXVII. *Señ. 10.* The River *Douglas* alias *Asland*, between the *Rible* and *Miry-Lane End*, or any the Works to be erected, and the Brooks, Cuts, &c. shall not be under the Survey of any Commission of Sewers.

XXXVIII. *Señ. 11.* If the Undertakers shall raise the Water above its antient Height, whereby the adjacent Lands may be more liable to be overflow'd than formerly, then they shall cause the Banks of the River to be proportionably raised; so that the new Banks shall be sufficient to contain the Water at such their raised Height; and shall maintain and repair the same Banks as often as Occasion shall require: And if they shall make any new Trenches, by Reason whereof any Person shall not have convenient Ingress or Egress into or out of his Lands, &c. then they shall make and maintain sufficient Bridges, or other Passages, over such new Trenches, as the Commissioners shall direct.

XXXIX. *Señ. 12.* Owners or Occupiers of Lands, &c. near the intended navigable Passages, may use Pleasure-Boats, without any Interruption from the Undertakers, and without paying any Rate for the same, so as they are not made Use of for carrying any Goods.

XL. *Señ. 13.* The River *Douglas* shall hereafter be esteemed to be navigable from the River *Rible* to *Miry-Lane End*; and free for all the King's Liege People to pass with Boats, &c. paying the Rates to the Undertakers.

XLI. *Señ. 14.* Saving to the Lords, &c. all Royalties and Liberties of Fishing and Fowling upon the River.

XLII. *Señ. 15.* No Duty shall be demanded for Dung, Marl, Chalk, or other Manure, convey'd in any Boat, &c. belonging to any Owners or Occupiers of Lands within five Miles from the River.

XLIII. *Señ. 16.* All Persons may carry Goods, &c. in any Boat, &c. upon the River, paying to the Undertakers not exceeding 2 s. 6 d. per Ton-Weight.

XLIV. *Señ. 17.* No Meeting shall be held by the Commissioners at any Place above eight Miles distant from the Place in Question.

XLV. *Señ. 18.* If the Undertakers shall not finish the Undertaking, in making the River navigable, within eleven Years next after the last Day of the Session of this present Parliament; then any five of the Commissioners may appoint

point such other Persons as they shall think fit, to make the River navigable: Which Persons so appointed shall enjoy all the Powers, &c. by this Act granted to the Undertakers.

XLVI. *Seç.* 19. No Advantage shall be taken of the Death of either of the Undertakers; but the Heirs shall stand in the Place of him dying.

XLVII. *Seç.* 20. The Undertakers shall either continue the Stone-Bridge between *Tarlton* and *Brotherton*, erected some Years since by *Thomas Fleetwood Esq;* and in that Case make Satisfaction for all Damage occasioned to the same by Boats, &c. Or if they find Occasion to pull down the same, they shall erect as good a Stone-Bridge in some other Place, between the said Towns, upon the Lands there, now or late of the said *Thomas Fleetwood*, and at all Times hereafter repair and maintain the same.

XLVIII. *Seç.* 21. If any Person shall sustain any Damage in his Grounds, Mills, &c. by the Undertakers raising the Water too high, or not sufficiently keeping up the Banks, or not cleansing the River, or by their diverting the Water; any five of the Commissioners shall enquire and ascertain the Damages by a Jury to be impanelled as aforesaid, [*Vide supra.* Par. xxix.] and give Judgment for the same; which shall be assessed to the Party grieved in the same Manner and Form as the Recompence and Damages are before appointed to be assessed for any Lands, &c. that shall be used or damnify'd in making the River navigable; and in Default of Payment thereof, the Commissioners may sequester the Duties for carrying of Goods, to the Use of the Party for whom such Damages are assessed; which Duties are hereby made liable to the Payment thereof in such Order and Course as such Judgment shall be in Priority of Time.

XLIX. *Seç.* 22. If the Undertakers shall cut through, or alter any Highways, they shall make as good and convenient Ways to the Satisfaction of five of the Commissioners; and if they have Occasion to purchase any Lands, the Price shall be ascertained, as aforesaid.

L. *Seç.* 23. If any Action be commenced for any Thing done in Pursuance of the Powers hereby given, the Defendant may plead the General Issue, and if a Verdict be given for him, &c. he shall recover full Costs. And this Act shall be taken in all Courts as a publick Act; and all Judges and Justices are to take Notice thereof as such without special Pleading.

LI. Stat. 6 G. c. 29. *Seç.* 1. *Henry Ashley of Eaton-Socron* in the County of *Bedford*, Esq; his Heirs and Assigns, are hereby

by impower'd to repair and amend the Passage for Boats, &c. on the River Ouse, within the County of *Huntingdon*, and to make the same more perfectly navigable from *Hollowell* to every other Place higher up the Stream within the said County, to which the same is or was navigable at full Water; and for that Purpose to scour and deepen the said River; and to repair and rebuild *St. Ives* Stanch; and to erect other new Works for effecting the said Undertaking; and to repair, maintain, use and alter the same, as Occasion shall require; and to cut the Banks, and to do any Act or Thing requisite for the Purposes aforesaid; and shall have free Ingress and Regress through the Grounds adjacent to the Stanch and new Works; and to lay on the Grounds all such Materials as are necessary for erecting and maintaining the same, and to frame and prepare the said Materials on the said Grounds; and to do all other Matters and Things as they shall think necessary for improving the Passage of Boats, &c. from *Hollowell* to *St. Neot's* in the said County.

LII. Sect. 2. The Justices of Peace for the County of *Huntingdon*, at their General Quarter-Sessions, shall have Power, (in Case the Parties cannot agree,) to determine what Satisfaction shall be given by the said *Henry Ashley* to any Persons by whom any Damage shall be sustained; and to that End shall have Power, on Complaint, to summon all Parties concern'd, and to inquire by the Examination of Witnesses on Oath, and by all other lawful Means, what and how much Damage shall have been sustain'd by such Persons; and shall make such Determinations therein as to them shall seem reasonable; which Determinations shall be enter'd by the Clerk of the Peace on the Rolls of the Sessions, shall be kept among the Records, and Transcripts thereof shall be deliver'd by the said Clerk to such Persons as shall require the same: All which shall be good Evidence in any Court, and shall be binding to all Parties; and no *Certiorari* shall be allowed: Likewise the Justices may award Costs in Cases which to them shall seem reasonable. Persons summoned not appearing, the Justices shall proceed to enquire of the Damages, and order how much Satisfaction such Persons shall have for the same; and their Determinations shall be as binding as they should have been if the Parties had appeared; and the Sums decreed shall be paid by the said *H. Ashley* in three Days after Notice; and in Case of Refusal or Neglect of Payment, any two Justices by Warrant may levy the same by Distress; and if sufficient Distress can not be found, the Record of the Sessions shall be certify'd by the Clerk of the Peace into the King's Bench

Bench or Common Pleas, and Execution shall go thereon for Recovery of Damages.

LIII. *Seçt.* 3. It shall be lawful for the said *Henry Ashley*, his Heirs, &c. after the repairing or erecting the said Stanch, or other Works near the same, to take, over and above the Toll payable before the making of this Act, the several Rates following, *viz.*

For ever Chalder of Coals, *Lynn* Measure, 1 *d.*

Half Hundred of Deals 1 *d.*

Load of Timber, 40 Foot to the Load, 1 *d.*

Eight Packs of Wool, 10 Tods to the Pack, 1 *d.*

Weigh of Salt, 1 *d.*

Load of Wheat, Barley, Rye, Pease or Beans, 3 Quarters to the Load, 1 *d.*

Last of Oats, 1 *d.*

Thousand of Turf, 1 *d.*

Load of Reed, Sedge, Hay or Hemp, 20 Hundred Weight to a Load, 1 *d.*

Last of Malt, 1 *d.*

Thousand of Tiles, 1 *d.*

Chalder of Lime, 1 *d.*

Ton-Weight of other Goods, 1 *d.*

And so proportionably : Which Sums, as also the Sluce-Toll, payable before, the said *Henry Ashley* may demand either of the Owner of the Goods, or of the Waterman.

LIV. *Seçt.* 4. The Waterman shall give a true Account of the Goods carry'd up and down the River, and of the Owners Names : Which Account being put into Writing by the said *Henry Ashley*, his Agents, &c. the Waterman shall subscribe his Name or Mark to the same : And in Case of not giving such Account, &c. or of not paying the Tolls, the said *Henry Ashley*, &c. may detain the Goods for which the Tolls ought to be paid, or the Vessels, till the same be fully satisfy'd and paid ; or in Case of Non-payment, he may sue for the same : And if he suspect that the Account is not full and true, he may, at his own Charges, cause all the Goods to be measured or weighed, or may make Tale of the same, at the Place where first landed.

LV. *Seçt.* 5. If any Person shall by Force obstruct the said *Henry Ashley* in the doing any Thing which he by this Act is authorized to do, or shall wilfully do any Damage to the Stanch or new Works, he may bring his Action of Trespass, or on the Case ; and if the Defendant be found guilty, he shall recover treble Damages, and full Costs ; or the Trespasser may be apprehended by the Constable, and by a Justice of the Peace set in the Stocks for three Hours

for the first Offence ; and for every other be sent to the House of Correction for one Month.

LVI. *Señ. 6.* Every Boat-Master shall be answerable for any wilful Damage that shall be done by his Boat or by his Boat's Crew ; and may be arrested and sued for the same, by Action of Trespass, or on the Case ; and if found guilty, shall pay Damages with full Costs : If any Person shall lay any Boats in the Stanch, so as to obstruct the Passage of other Boats, and shall refuse to remove them into some other Place ; then it shall be lawful for the said *Henry Ashley*, his Agents, &c. to enter into such Boats, and to remove them higher or lower in the Water, to the next Place where they shall not cause such Obstruction : And in Case of refusing to permit the said *Henry Ashley*, &c. to enter into such Vessel, or to remove the same ; or in Case any Person, when the Stanch or new Works are shut up, for helping any Boats, &c. to pass over the Shallows, shall not permit them to continue shut, but shall open the same before the Water is risen to a sufficient Height ; then every Person so refusing Entrance into the Vessels, or obstructing or opposing such Removal of the same, as aforesaid ; or that without the Consent of the said *Henry Ashley*, &c. shall open the Stanch or new Works, as aforesaid, may, by Warrant from a Justice, or by Authority of this Act, be apprehended by the Constable of the Place where found, and carry'd before a Justice of Peace ; who is to order such Offender for the first Offence, to be set in the Stocks for three Hours ; and for every other Offence, to commit him to the House of Correction for one Month.

LVII. *Señ. 7.* Six of the Justices of the Peace for the County of *Huntingdon*, to be yearly nominated at the Quarter-Sessions next after *Easter*, and a like Number of the Commissioners of Sewers, within the Great Level of the Fens, called *Bedford Level*, to be yearly appointed by the Conservators at their Meeting in *April*, shall be Commissioners for the Government of the New Works, and Preservation of the Navigation ; and any five of them, whereof two at least to be of the Number appointed by the Justices, and not less than two by the Commissioners of Sewers, may meet together when, where, and as often as they see Occasion ; and the major Part of them shall make such Orders and Decrees touching the Premises, under such reasonable Pains and Penalties as to them shall seem meet ; and may enforce the Execution thereof by all such lawful Ways and Means as the Commissioners of Sewers within the said Level, or any other Commissioners of Sewers, can or may lawfully do. Their first Meeting to be at *St. Ives*.

LVIII. Sect. 8. This Act shall not make void any of the Rights, Privileges, or Usages of the antient Town of *Godmanchester*, for preventing of the Overflowing of the Meadow-Grounds belonging to the Inhabitants.

LIX. Sect. 9. Nothing herein shall extend to hinder the said *Henry Asbley*, or his Servants, &c. from erecting a Stanch or Works according to the Directions of this Act.

LX. Sect. 10. The Bailiffs and Assistants of *Godmanchester*, or any four of them, may, by Warrant under their Hands directed to the Keeper of the Stanch, require him to take up and remove the said Stanch, so as the Waters may have a more free Passage; which Warrant shall be publickly set up at the Stanch, and on the great Bridge in *St. Ives*, of which all Persons concerned are to take immediate Notice; and if the Proprietor or Keeper of the Stanch shall not within half an Hour after such Warrant so set up, take up and remove the said Stanch and Works, it shall be lawful for the Bailiffs and Assistants and Commonalty of *Godmanchester*, or any other Persons authorized as aforesaid, to take up the same, so to remain and continue till the Meadows shall be out of Danger of being overflow'd; doing as little Damage to the Works as may be; the Charge thereof to be reimbursed by the Proprietor of the Works before the said Stanch be set down again: And this Act shall indemnify the Justices of Peace and the said *Henry Asbley*, his Heirs, &c. and all other Persons authorized by him for all Things done in Pursuance hereof, or of the Powers hereby given.

LXI. Sect. 11. It shall not be lawful for the said *Henry Asbley*, &c. to erect any new Works, on that Part of the River which is between *St. Ives's* Bridge and the Town of *St. Neots*, (except scouring) without the Consent of the Justices of the Peace for the County of *Huntingdon*, at their General Quarter Sessions, first obtained; which Consent shall be enter'd by the Clerk of the Peace on the Rolls of the Sessions.

LXII. Sect. 12. If any Action be commenced for any Thing done in Pursuance of this Act, the Defendant may plead the General Issue, &c. and if the Plaintiff become nonsuit, or a Verdict pass against him, &c. the Defendant shall recover full Costs. And this Act shall be allowed in all Courts as a publick Act, and all Judges, Justices, and other Persons are to take Notice thereof as such, without special Pleading.

LXIII. Stat. 6 G. c. 30. Sect. 1. The Bailiffs and Aldermen of the Borough of *East-Retford* (whose Names are in the

the Act) and their Successors, or such as they shall by Writing under their Hands and Seals appoint, are empower'd to make the River *Idle* navigable from *East-Retford* to *Shire-Dike*, and to continue and support such Navigation; and from Time to Time to cleanse, scour, and deepen the said River, and to widen and enlarge the same; and to remove all Trees, Roots, Gravel, Beds of Stones, and other Impediments, and to lay the same on any Lands adjoining; and to heighten or alter any wooden Bridges; and to build and make, within the Space of one Mile and a Half from *East-Retford*, on the Lands near adjoining, Locks, Weirs, Turnpikes, Pens for Water, Cranes and other Things proper for such Navigation, and to alter and repair the same; and to make Bridges, Ways, and other Conveniencies for carrying Commodities, to and from the River; and shall also have free Liberty to lay and work on the Lands adjoining all Materials for making of Dams, &c. and to set out Towing and Haling-Paths; and to do all other Works, Matters and Things necessary for the Improvement of the Navigation.

LXIV. *Señ. 2.* The Bailiffs and Aldermen, and their Successors and Assigns, before they begin to make any Cuts, Trenches or Locks, or to set out any Towing or Haling Ways or Passages, or to do any Damage to any Lands, Tenements, &c. shall compound with the Owners or Occupiers thereof, or other Persons thereby likely to be damnify'd, for such Damage as shall be thereby done; or procure some Order to be made therein by the Commissioners hereafter named, or any five of them.

LXV. *Señ. 3.* Commissioners constituted (*whose Names see in the Act*) for settling and adjusting all Matters about which any Difference may arise concerning such Navigation, and for putting the several Powers hereby granted in Execution; and any five of them duly assembled in the Manner herein after expressed, shall have Power to mediate between the said Bailiffs, &c. and the Owners and Occupiers of such Lands, &c. as shall be intended to be damnify'd; and proportion what Satisfaction shall be made for the same, and to whom, and how the same shall be divided between Landlords and Tenants, or others having any particular Interest therein: And if any Persons, after convenient Notice given them, shall, by the Space of twenty Days next after such Notice, neglect to treat with the said Bailiffs, &c. or having begun to treat, shall not agree with them touching the Premises within ten Days after such Treaty begun; or through any Disability cannot treat, or by Reason of Absence shall be prevented from treating; in such Case the Commissioners, or any five of them, are authorized to issue

a Warrant to the Sheriff of the County where such Land, &c. so to be compounded for, shall lie, to impanel and return a Jury of 24 sufficient Freeholders, (or if the Land, &c. to be compounded for shall lie in two Counties, then to issue Warrants to the Sheriffs of both those Counties, who are each of them to impanel 12 such Freeholders, to make up the Jury 24) on Pain to forfeit for every Person returned, who is not qualify'd, 40 s. and shall likewise return in Issues on every Person so impanelled, 40 s. And in Default of a sufficient Number appearing, the Sheriff shall return other Freeholders of the Standers-by, to make up the Jury to the Number of 12 : To which Jury all Parties concerned are to have their legal Challenges ; which Jury upon their Oaths shall enquire, after View of the Place in Question, and Examination of Witnesses, or other Evidence, and assess such Damages as they shall judge fit to be awarded ; and the Commissioners shall give Judgment accordingly ; which Verdict and other Sentence set down in Writing, declared by the Commissioners, shall be binding against all Parties, as well absent as present, so as Notice in Writing be given by the Commissioners at least 14 Days before any such Meeting, to every Party concerned, or left at their usual Place of Abode, or with the Tenant of the Lands, &c. in Case the Party cannot be found : And on Payment or legal Tender of the Money, or on Refusal to receive it, then on Payment thereof into the Hands of the Commissioners Clerk, for the Use of the Party concern'd, it shall be lawful for the Bailiffs, &c. and their Workmen, to do any Act for which any Agreement or Order shall be made ; and this Act shall indemnify the Commissioners, Bailiffs, &c. against the said Owners, &c. and all claiming under them.

LXVI. *Seet. 4.* No Commissioner shall act in any Case where he is concern'd : Nor shall any Meeting be held by them at any Place above seven Miles from the Place in Question : Nor shall any Advantage or Exception be taken touching the County, so as it be within the Distance aforesaid.

LXVII. *Seet. 5.* If any of the Commissioners refuse to act, or die, such Death or Refusal shall be recorded before the Commissioners in open Court ; and the other Commissioners may nominate, by Writing under their Hands and Seals, or of the major Part of them, other Persons within the Counties of *York, Nottingham and Lincoln*, having an Estate of 50 l. *per Annum* in Land ; or a personal Estate of 1000 l. each at the least, in the Place of them so dying or refusing to act. Which Instrument shall be recorded in the Commissioners Books.

LXVIII. *Señ. 6, 7.* The Bailiffs and Aldermen may at all Times hercafter, take for the Carriage of Goods on the River, between *East-Retford* and *Shire-Dike*, the Rates following, *viz.* For Manure, 3 *d.* per Tun, and for all other Goods, 1 *s.* per Tun, and so proportionably: Which Duty may be lessen'd by the Bailiffs, &c. as they shall think fit; On Non-payment, they may sue for the same, or make Stay of any Goods, or of the Vessels, till due Payment; and if such Distress be not replevied in four Days after Taking thereof, the Person distraining may, with a Constable or other Officer, appraise and sell the same, leaving the Overplus with the Constable for the Owner.

LXIX. *Señ. 8.* The Master of every Barge, &c. shall be answerable for Damage done by his Barge, &c. or any of the Crew, to any of the Wears, Locks, &c. and for all Trespasses to Owners of Houses or Lands, or of Goods lying near the River, and may be sued for the same, as if the Trespass had been committed by himself.

LXX. *Señ. 9.* If any Person shall throw any Roots, Stone, Sand, or any Thing else into the River between *East-Retford* and *Shire-Dike*, and thereby obstruct or damage the Navigation, the Bailiffs, &c. may bring an Action of Trespass; and if they obtain a Verdict, they shall recover in Damages so much as the removing of such Obstruction shall cost, and all other Damages thereby sustained by them, or by such Persons as shall navigate on the River, with full Costs of Suit.

LXXI. *Señ. 10.* The Commissioners shall at all Times hereafter have full Power to survey the said River, and the Banks thereof, and all Wears, Floodgates, Locks, and other Things upon the same, and mark out the Ground to be dug, alter'd or removed, and to shew the same to the Witnesses and Jury, and to make like Process to enquire thereof; and to make such Orders for altering, amending, abating, or removing the same, and for keeping the River open and passable for Boats, &c. as they shall see Cause, and as shall be necessary to be done for the navigating thereof; but at the sole Charge of the Bailiffs, &c. And the Commissioners of Sewers shall have no Power to hinder the setting up any Wears, &c. nor to pull down or alter the same, or to do any Thing to the Prejudice of the Navigation.

LXXII. *Señ. 11.* The Bailiffs, &c. shall at their own Costs, make and maintain convenient Gates and Bridges, Passages and Stiles in the Hedges and Fences in the Towing-Paths and Ways to be set out; and shall not obstruct any Fords, Bridges, Highways or Passages over the River, without making other Conveniencies for passing the same.

LXXIII.

LXXIII. *Seft.* 12. The River *Idle* shall for ever hereafter be esteemed navigable from *East-Retford* to *Shire-Dike*; and all People shall enjoy their free Passage on the said River, and shall freely land their Goods, &c. at any new Wharf; subject nevertheless to such Regulations, and to the Payment of such Duties as are in this Act expressed.

LXXIV. *Seft.* 13. All Persons transporting any Lead or other Commodities, in any Boat or Vessel on the River *Idle*, along the Manor of *Bawtry*, from *East-Retford*, or any other Place between that and *Shire-Dike*, to or towards *Stockwith*, or any other Place between *Stockwith* and the Manor of *Bawtry* to *East-Retford*, or to any Place between *East-Retford* and *Shire-Dike*, or on any Part of the River *Idle*, passing along the Manor of *Bawtry*, shall from henceforth for ever pay to *Thomas Lister Esq;* Lord of the said Manor of *Bawtry*, 3 *d.* for every Fodder of Lead, and 3 *d.* for every Ton of other Goods.

LXXV. *Seft.* 14. And that it may the better be known how many Tons shall be in every Boat or Vessel, every Boat, &c. shall be marked on the Outside, on both Sides alike, with fair and visible Marks, shewing what Depth of Water it will draw by the additional Weight of every Ton of any Commodity: And in Default thereof, the Owner shall pay to the said *Thomas Lister*, his Heirs, &c. 40 *s.* to be recovered by Action or Distress in Manner hereafter mentioned: And every such Boat shall be haled up to the Side of the Wharf at *Bawtry*, or as near as the Depth of Water will allow, without running on Ground, that it may be viewed by the Persons appointed to view the same: And the said Duty shall be paid in Lieu of the antient Duty of 3 *d.* per Fodder of Lead, and 3 *d.* per Ton of other Commodities, which hath been antiently paid to the Owners of the Manor of *Bawtry*, for the Passage of the River along the said Manor.

LXXVI. *Seft.* 15. If any Boat shall pass by *Bawtry*, not duly marked, or without being haled up to the Wharf, or before paying the Duty, the Owner of the Boat shall forfeit 5 *s.* for every Ton Weight which such Boat will bear when full loaden: Which Forfeiture, as also the Penalty for not marking, shall be recover'd by Action of Debt, with full Costs; or else the said *Thomas Lister*, his Heirs, &c. may seize upon such Boat, and the Goods therein, and detain the same, till the Forfeiture of 5 *s.* for every Ton the said Boat is capable of Bearing, and the Penalty of 40 *s.* for not duly marking thereof, is paid, together with the Charges of such Distress; and if not paid in ten Days, then the Boat, &c. may be appraised and sold, rendring the Overplus.

LXXVII. *Señ.* 16. If any Boat so haled up shall remain there for the Space of one Quarter of an Hour, and no Person shall appear on Behalf of the said *Thomas Lister*, &c. to view the same, and receive the Duty ; or if the Duty shall be tender'd, and refused ; then the Boat may proceed without incurring the Forfeitures of 5 s. per Ton ; subject nevertheless to the Duty of 3 d. per Fodder and Ton.

LXXVIII. *Señ.* 17. It shall be lawful for the said *Thomas Lister*, his Heirs, &c. or the said Bailiffs, &c. at their own Costs and Charges, to scour and cleanse or deepen such Part of the River as lies between *Shire-Dike* and the Wharf at *Bawtry*.

LXXIX. *Señ.* 18. No Persons shall have Power to cut, throw down, or dig away any Banks made for preserving or defending any Lands from the Overflowing of the River.

LXXX. *Señ.* 19. No Persons, under Pretence of the said Navigation, or otherwise, by Virtue of this Act, shall come upon the Lands in the Parish of *Mattersey*, or belonging to *Mattersey Abbey*, on that Side the River which *Mattersey* stands on ; except on such Part thereof as lies below *Mattersey Bridge* and the Lordship of *Scrooby*, whereon there is not any Yard, Garden or Orchard, adjoining to any Dwelling-House.

LXXXI. *Señ.* 20. Nothing herein shall give Power to any Persons to cut down, dig up, or otherwise damnify any Trees planted near the Banks of the *Idle*, so as sufficient Haling Paths be left between the River and the Trees, as any five of the Commissioners shall adjudge proper and convenient.

LXXXII. *Señ.* 21. No Master of any Boat, &c. shall take any greater Sum than 8 s. for every Fodder of Lead, and 8 s. per Ton of any other Goods, for Freight from *East-Retford* to *Stockwith*, or from *Stockwith* to *East-Retford*, from 29 September to 25 March in every Year ; nor any greater Sum than 6. s. per Fodder or Ton, from 25 March to 29 September.

LXXXIII. *Señ.* 22. No Decree or Determination made by the Commissioners shall be binding, unless made at a General Court, where five of them at least shall be present at the Time of making such Decree ; and no such Court shall be held except by Adjournment of the last Court ; or Notice thereof be given by at least five of the Commissioners, by Proclamation in Writing in the publick Market of *East-Retford*, on the Market-Day there, at least 14 Days before such Court is to be held ; and Mention shall be always made in such Proclamation of the Time and Place where such Court

Court is to be held; and the Proclamation shall be affixed to the Market-Cross.

LXXXIV. *Señ. 23.* Person aggrieved by any Determination of the Commissioners, may appeal to the Justices of Assize, for that County where the Matter in Dispute shall arise, and not elsewhere, whose Order shall be final, and from whose Judgment no Appeal shall lie.

LXXXV. *Señ. 24.* All the Commissioners Proceedings, Verdicts of the Juries, and all Orders, Sentences and Decrees, and all Instruments whereby new Commissioners shall be appointed, and all Orders of the Justices of Assize on Appeals, and all other Proceedings about the Navigation, or any the Matters aforesaid, shall be fairly enter'd in Books by the Steward of the Court of *East-Retford*, or his Deputy; and shall be adjudged Records; and the same, or true Copies thereof, shall be allowed as Evidence in any Court; and all Persons may have Recourse to the same, and take Copies thereof, paying reasonable Fees, *viz.* for every Search 1 s. and for every Copy not exceeding 200 Words 1 s. and so proportionably.

LXXXVI. *Señ. 25.* Saving to the Lords, Owners and Proprietors of any Royalties, Liberties, or Rights of Fishing or Fowling on the said River, their said Rights within their respective Manors.

LXXXVII. *Señ. 26.* Persons sued for any Thing done in Pursuance of this Act, may plead the General Issue; and on a Verdict, &c. recover treble Costs. And this Act shall in all Courts be esteemed a publick Act; and all Judges of Courts of Record, Justices of Assizes, and other Judges, and Stewards of Courts, and all others, shall take Notice thereof without special Pleading.

LXXXVIII. *Stat. 7 G. c. 8. Señ. 1.* The Time granted by the (*private*) Act 1 G. c. 24. for making the River Kennet navigable from Reading to Newbury in the County of Berks, by the Undertakers, their Heirs, &c. is hereby enlarged from the 1st of June 1721, to the 1st of June 1723, with all Powers, &c. expressed in the former Act, as fully and effectually as if the same were repeated and re-enacted in the Body of this Act.

LXXXIX. *Señ. 2.* In Case the Undertakers do not finish the said Undertaking by the said 1st of June 1723, it shall then, and not before, be lawful for the Commissioners, or any Twenty-one of them, to appoint such other Persons to do the same, as they shall think fit; who shall have the same Powers, &c. at the former Undertakers; and after 1 June 1723, every the Powers, &c. of the Undertakers named in the former Act shall determine.

XC. *Seff.* 3. The Undertakers shall make the said River navigable from the Wharf or common Landing-Place in Reading to The Hospital in Newbury.

XCI. *Stat.* 7 G. c. 10. *Seff.* 1. John Egerton of Alton, John Amson of Lees, in the County of Chester Esqrs; and Richard Vernon of Middlewich in the said County, Gent. (who are hereby appointed Undertakers and Trustees, and their Successors) shall have full Power by this Act, by themselves, their Deputies, Agents, Workmen, &c. to make the River Weaver, alias Weever, alias Wever, navigable for Boats, Barges, and other Vessels, from Frodsham-Bridge to Winsford-Bridge, and to continue, maintain, and use such Navigation, in such Manner as they shall think fit; and for these Purposes to clear, scour, open, enlarge, or straiten the said River, and to dig or cut the Banks thereof; and to make new Cuts, Trenches, or Passages for Water, in, on or through the Lands adjoining or near the said River, &c. and, if Necessity requires, to remove all Trees, Roots of Trees, and other Impediments which may hinder the Navigation, and to lay the same on the Lands adjoining; and to build, set up, and make, over or in the River, Cuts, &c. or on the Lands adjoining, or near the same, Bridges, Sluces, Locks, Wears, Pens for Water, Stanks, Dams, and other Works, as and where they shall think fit; and to alter and repair the same; and to make necessary Ways and Passages for carrying of Goods, to and from the River, &c. and for conveying all Materials for compleating the said Navigation; and to lay the said Materials on the Ground, near the Places where the said Works shall be made; and to amend, heighten or alter any Bridges, turn or alter any Highways near the River, &c. as may hinder the Navigation; as also to make, set out and use Towing-Paths, &c. the said Undertakers first giving Satisfaction to the Owners of Lands, &c. that shall be damaged.

XCII. *Seff.* 2. Commissioners appointed (*whose Names see in the Act*) for determining all Matters about which any Difference may arise between the Undertakers and the Proprietors or Occupiers of Lands, &c. and any seven of the Commissioners may mediate between them, and determine what Satisfaction shall be given, and adjust what Proportion any Tenant, or other Person shall have for his respective Interest: And if any Person be dissatisfy'd with such Determination of the Commissioners, or shall decline such Mediation, or shall, by the Space of ten Days after convenient Notice, neglect or refuse to treat with the Undertakers, or treating, shall not agree with them, within ten Days after such Treaty begun, or through any Disability cannot; any seven of the Commissioners shall issue their Warrant to the Sheriff

Sheriff of the County of *Chester*, or if such Sheriff be interested in the Thing in Question, or related to the Parties, then to the Coroners of the said County, for impanelling and returning a Jury of 24 Men qualify'd according to Law; on Pain to forfeit 50 *l.* for not making such Return, and for every unqualify'd Person returned, 40 *s.* and also to return in Issues on every Person so returned, 40 *s.* or more: And in Default of a sufficient Number of Jurymen appearing, such Sheriff or Coroners shall return others of the Standers-by, to make up the Jury to the Number of twelve: And all Parties shall have their lawful Challenges against any of the Jurymen: And any seven of the Commissioners may summon before them, all Persons as shall be thought proper to be examined as Witnesses, and may order the Jury to view the Places or Matters in Question: Which Jury shall upon their Oaths, enquire and assess such Damages as they shall think fit to be awarded to the Owners of Lands, &c. and the Commissioners shall give Judgment for the Sums so assessed, and shall finally determine all Controversies concerning the Premises: Which Verdict and Decree thereupon shall be binding to all Parties; and the said Judgments, Orders, &c. shall be set down in Writing under the Hands and Seals of the Commissioners: And on Payment or Tender of the Money so assessed to the Party concerned, or into the Hands of such Person as the Commissioners shall appoint, the Undertakers may proceed for the effecting the said Navigation, as they shall think requisite. And this Act shall indemnify, as well the Commissioners as the Undertakers, and all Persons employed by them, against the Owners of such Lands, &c.

XCIII. *Seçt.* 3. No Person shall act as a Commissioner, unless he be seized of an Estate of Freehold in that County of 100 *l. per Annum*; nor in any Case where he shall be any ways interested.

XCIV. *Seçt.* 4. Persons summoned to give Evidence not appearing, or refusing to be sworn, forfeit to the Undertakers, 40 *s.* to be levied by Distress, or recovered by Action of Debt, &c.

XCV. *Seçt.* 5. For supplying the Number of the Commissioners in Case of Death, or any of their Refusal to act, then any seven of the other Commissioners may appoint Persons qualify'd as aforesaid, in their Places.

XCVI. *Seçt.* 6. The Undertakers may demand of all Persons carrying Goods on the River between *Frodsham-Bridge* and *Winsford-Bridge*, any Sum not exceeding 1 *s.* 3 *d.* per Ton-Weight, besides the Freight, till all the Charges of making the River navigable shall be fully satisfy'd; and afterwards not exceeding 1 *s.* per Ton. On Refusal of Payment

ment the Undertakers may detain any Goods, &c. or the Vessels, till paid.

XCVII. *Señ.* 7. The Undertakers may set up and use Winches, and other Engines; and with the same, by the Strength of Men or Beasts, tow or hawl up any Boats, Barges, &c.

XCVIII. *Señ.* 8. Every Master or Owner of any Barge, &c. shall be answerable for any Damage done by his Vessel or Crew, to any Bridges, Weirs, &c. or to the Owners of any adjacent Land, and may be sued for the same; and if found Guilty, &c. the Plaintiff shall recover, not only his Damages, but also his full Costs of Suit.

XCIX. *Señ.* 9. The River between *Frodsham-Bridge* and *Winsford-Bridge*, or any the Works, &c. to be erected, shall not be under the Survey of any Commission of Sewers.

C. *Señ.* 10. If the Undertakers shall raise the Water above its usual Height, whereby the adjacent Lands may be more liable to be overflow'd than they have formerly been; then they shall cause the Banks of the River to be proportionably raised; so that the new Banks shall be able to contain the Waters at such their raised Height; and shall also maintain and repair the same.

CI. *Señ.* 11. It shall be lawful for the Owners and Occupiers of Lands adjoining to the River, to use Pleasure-Boats on the River, without paying any Duty, so as they be not made Use of for carrying of Goods, &c.

CII. *Señ.* 12. The River shall hereafter be esteemed to be navigable from *Frodsham-Bridge* to *Winsford-Bridge*, and free for all Persons to pass up and down the same, paying the Duties to the Undertakers.

CIII. *Señ.* 13. Saving to all Lords, &c. of Royalties, their Rights of Fishing, and Fowling on the said River.

CIV. *Señ.* 14. No Duty shall be demanded for any Dung, Marle or Manure, belonging to the Owners or Occupiers of Lands, within five Miles from the River.

CV. *Señ.* 15. Any Person may carry Goods, &c. in any Boat, &c. up and down the River, between *Frodsham-Bridge* and *Winsford-Bridge*; but subject to such Regulations, and to the Payment of such Duties as are in this Act expressed.

CVI. *Señ.* 16. The Commissioners Proceedings, the Verdicts of all Juries, all Orders, Sentences, and Decrees so to be made as aforesaid, all Instruments whereby new Commissioners shall be appointed, and all other Precepts about the Navigation, shall be written in Parchment by the Commissioners Clerk, and certify'd under the Hands and Seals of seven or more of the acting Commissioners, and by them
transmitted

transmitted to the Baron of the Exchequer for the County of *Chester*, who is to keep the same among the Records of that Court; and the same shall be deemed to be Records thereof; and the same or true Copies thereof, shall be allow'd as Evidence in any Court; and all Persons may have Recourse to the same *gratis*, and take Copies thereof, paying for every Copy, not exceeding 200 Words, 6 *d.* and so proportionably; and the Undertakers shall pay the Commissioners Clerk, for every Transcript, not exceeding 200 Words, 6 *d.* and so proportionably.

CVII. Sect. 17. No Meeting shall be held by the Commissioners, at any Place above seven Miles from the Premises in Question.

CVIII. Sect. 18. The Undertakers shall not alter the Course of the River, so as to bring it nearer to the Salt-Works of *Thomas Warburton Esq;* than the same now runs; nor pound up or raise the Water in the River within 50 Yards of the said Salt-Works, higher than the Height of the River is usually in the Winter Season; or sink or cut the River deeper, so as to prejudice the said Works; nor make any Towing-Path between the said Salt-Works and the River; nor erect any Winch or other Engine for hawling of Boats, &c. on that side the River within 50 Yards of the said Works.

CIX. Sect. 19. All Goods shall be free from the Duty between *Frodsham-Bridge* and *Pickerens-Boat*; except at such Times as the River shall not be there navigable without the Help of a Lock.

CX. Sect. 20. The Undertakers shall make *Witton-Brook* navigable from the Place where it falls into the River, to *Witton-Bridge*; so as nevertheless the Mills of *George Venables Vernon Esq;* called *Witton-Mills*, be not prejudiced thereby.

CXI. Sect. 21. If after the Undertakers shall begin to make, or shall have made the said River or Brook navigable, any Damage shall happen to the Owners or Occupiers of Lands, &c. adjoining to, or lying near the said Brook, or to any Weirs, &c. by any Act or Default of the Undertakers, any seven of the Commissioners shall enquire of and ascertain the Damages by a Jury to be impanelled and return'd as aforesaid; and shall give Judgment accordingly; and in Default of Payment at a Day to be appointed by the Commissioners, then they, or any seven of them, may by Warrant, empower such Persons as they shall think fit, to levy the same by Distress and Sale of the Undertakers Goods, together with such Costs and Charges as the said Commissioners shall judge reasonable; and in such Warrant shall direct; returning the Overplus; or the Party grieved may have his Action at Law, and recover the same with Costs and Damages.

CXII. Sect.

CXII. *Señ. 22.* The Undertakers shall make and maintain convenient Gates and Bridges, Passages and Stiles, in all the Hedges and Fences in the Towing-Paths; and shall not obstruct or destroy any Fords, Bridges, Highways, or Passages over the said River or Brook, without making other Conveniencies for passing the same.

CXIII. *Señ. 23.* The Undertakers shall make and maintain such Bridges, and in such Manner, as any seven of the Commissioners shall direct.

CXIV. *Señ. 24.* Whereas the Honourable *Langham Booth Esq;* has agreed to advance 1000*l.* *Sir George Warburton Bart.* 1000*l.* *John Egerton Esq;* 1000*l.* *Henry Legh Esq;* 500*l.* *Randle Dodd Esq;* 500*l.* *John Amson, Esq;* 500*l.* *Philip Egerton, Dr. in Divinity,* 500*l.* *Henry Mainwaring Esq;* 500*l.* *Thomas Vernon Esq;* 500*l.* *Richard Venon Gent.* 1000*l.* *Israel Atherton Gent.* 500*l.* *John Williams Esq;* 500*l.* *Peter Warburton Esq;* 500*l.* and *James Mainwaring Esq;* 500*l.* which several Sums amount in the Whole to 9000*l.* which is computed to be sufficient to compleat the said Works; they shall respectively pay to the Undertakers the said Sums, at such Times, and in such Proportions, as shall be directed by any nine of the Commissioners at a general Meeting; and in Default of Payment within 40 Days after Demand, the Commissioners may levy the same by Distress and Sale of the Goods of the Person respectively making such Default, returning the Overplus.

CXV. *Señ. 25.* The Undertakers shall, out of the first clear Produce of the Duties after the Work shall be compleat and finish'd, pay to the said *Langham Booth, &c.* all the Sums which shall be respectively advanced by them, with Interest at 5*l. per Cent.* and 1*l. per Cent.* for the Risque of the Undertaking, yearly, from the Time the Sums shall be advanced, till fully repaid.

CXVI. *Señ. 26.* If the said Sum of 9000*l.* should not be sufficient to compleat the Undertaking, it shall be lawful, with the Consent of nine of the Commissioners, to take up such farther Sums, at like Interest and Allowance, as aforesaid, as nine of the Commissioners shall think convenient; and the Undertakers are to repay the same as aforesaid.

CXVII. *Señ. 27.* Any thirteen of the Commissioners shall yearly, on the 2d *Wednesday* after *Michaelmas*, assemble in the Town-Hall, or any other convenient Place as they shall agree upon, in *Middlewich* or *Northwich* in the County of *Chester*, and examine the Undertakers Accounts; and an Allowance thereof under their Hands and Seals, shall be a sufficient Discharge to the Undertakers; to whom the Commissioners are to make a reasonable Allowance for their Trouble and Disbursements.

CXVIII.

CXVIII. *Seft.* 28. After the Work is finished, and all the Charges thereof fully satisfy'd, and the Sums to be advanced as aforesaid, repaid; then the clear Produce of the Duties shall be employ'd for amending the publick Bridges, and other Charges of the County, as the Justices at the Quarter-Sessions to be held the next Week after *Michaelmas*, shall yearly direct.

CXIX. *Seft.* 29. So much of the clear Produce of the Duties as the said Sessions shall yearly think fit, shall be employ'd for amending the Highways between *Frodsham-Bridge* and *Winsford-Bridge*, for the extraordinary Expences by Reason of carrying Salt and other Goods through the same.

CXX. *Seft.* 30. After repairing the publick Bridges and Highways as aforesaid, the Surplus of the Tonnage shall be employ'd for repairing such other Highways in the County, and in such Manner, as the Justices in their said Quarterly-Sessions, shall yearly order.

CXXI. *Seft.* 31. For supplying the Number of the Undertakers, any thirteen of the Commissioners at their yearly Assembly, in Case of any Vacancy by Death, or any of their Refusal to act, may by Instrument in Writing appoint others in their Room.

CXXII. *Seft.* 32. If the Undertakers shall not make the River navigable in ten Years from 24 *June* 1721, the Commissioners, or any thirteen of them, at any of their said yearly Assemblies, may appoint other fit Persons with like Powers, &c.

CXXIII. *Seft.* 33. Provided, That the Commissioners shall not have Power to displace such Persons so to be appointed Undertakers in Default of finishing the Undertaking, for any Cause, or on any Pretence whatsoever.

CXXIV. *Seft.* 34. Persons sued may plead the General Issue, and recover full Costs. And this Act shall be allow'd in all Courts for a publick Act; and all Judges, Justices, and Stewards of Courts are to take Notice thereof as such, without special Pleading.

CXXV. *Stat.* 7 G. c. 15. *Seft.* 1. Enacted, That *Oswald Mosley* of *Ancotes*, *George Kenyon* of *Peele*, Esqrs; *Joseph Yates*, *John Leech*, *Joseph Byron*, *Ralph Houghton*, *James Bradshaw*, *Joseph Vigor*, *John Lees*, *Samuel Clowes*, *James Bayley*, *Matthew Greaves*, *Jeremiah Bowers*, *William Shrigley*, *William Holme*, *Francis Davenport*, *James Marsten*, *Richard Holden*, *Hamnet Kirke*, *Daniel Bayley*, *James Lightbourne*, *John Greaves*, *Jeremiah Bradshaw*, *Peter Wolstenholme*, *Jonathan Lees*, *Oswald Rawald*, *Abraham Hayworth*, *Thomas Gandy*, *Thomas Garfide*, *Edmund Neild*, *Henry Booth*, *Ralph Banks*, *John Seddon*, *Samuel Boardman*, and *John Moss*, all of *Manchester* in the County *Palatine of Lancaster*, Gent. *Richard Gildart*, *Thomas Steers*,
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and *Henry Trayford* of *Liverpoole* in the said County, Gent. their Heirs and Assigns, be appointed Undertakers, and shall be empower'd, at their proper Costs and Charges, to make the Rivers *Mercy* and *Irwell* in the Counties Palatine of *Lancaster* and *Chester*, navigable for Boats, Barges, &c. from *Liverpoole*, up to *Hunts-Bank* in *Manchester*; and to continue and support such Navigation, in such Manner as they shall think fit; and for those Purposes to clear, scour, open, enlarge or straiten the said Rivers, and to dig or cut the Banks thereof; and to make new Cuts, Trenches, or Passages for Water, on or through the Lands adjoining or near the said Rivers; and to cut, remove and take away all Trees, Roots of Trees, Gravel-Beds, or any other Impediment which may hinder the Navigation on the Rivers, or the new Cuts, &c. and to lay the same on the Lands adjoining; and to build, set up, and make so many Bridges, Sluces, Locks, Weirs, Pens for Water, Stanks, Dams, and other Works, as shall be necessary, where they shall think fit; and to alter, repair, encrease and enlarge the same; and to make necessary Ways for carrying of Goods to and from the Rivers; and for conveying of Materials for perfecting the said Works, and for altering and repairing the same; and to lay and work the Materials on the Ground near the Works; and to amend, heighten or alter any Bridges; and to turn or alter any Highways, on or near the Rivers, Cuts, &c. and to pull down or alter any Mill, Wear, or other Obstruction, which may hinder the Navigation; and to set out and make Towing-Paths for haling of Boats, Barges, &c. and to do all other Matters necessary for perfecting the Navigation, doing as little Damage as may be, and first giving Satisfaction to the Owners of the Mills, Lands, &c.

CXXVI. *Seft.* 2. Commissioners constituted (about 140 in Number, whose Names see in the Act) for adjusting and determining all Matters about which any Differences may arise between the Undertakers and the Proprietors; and any seven of the Commissioners may mediate between them, and by Writing under their Hands and Seals, determine what Satisfaction every Person shall have for Damages; and settle what Share every Tenant, or other Person having a particular Interest in the Premises, shall have for the same: And if any Persons shall be dissatisfy'd with, or decline such Determination of the Commissioners, or after 20 Days Notice shall refuse to treat, or through Disability cannot; or by reason of Absence shall be prevented from treating; except such Absence be occasioned by their necessary Attendance on either House of Parliament; then any seven of the Commissioners may issue their Warrant to the Sheriff of the County where such Land, &c. shall lie; or if such Sheriff be interested

interested in the Thing in Question, or any Ways related to the Parties concerned, then to the Coroners of such County, for the impanelling and returning a Jury of 24 sufficient Freeholders, qualify'd according to Law; and if the Matter to be enquired of arise within the said two Counties, then to issue Warrants to the Sheriffs or Coroners of both Counties, who are to return twelve Freeholders of each County to make up the Jury twenty-four; and also to return in Issues on every Person so impanelled, 40s. which in Default of Appearance, shall be estreated and levied by the Sheriff, to the Use of the Undertakers; on Pain of every Sheriff or Coroner to forfeit to the Undertakers, for Default in not making such Return, 50*l.* and for returning any unqualify'd Person, 5*l.* For Default of a sufficient Number of Jurymen appearing, the Sheriff, &c. shall return other Indifferent Men of the Standers-by, to make up the Jury to the Number of Twelve; and all Parties concerned may have their lawful Challenges against any of the Jurymen: And the Commissioners may summon before them all Persons (except a Peer or Peerefs of *Great Britain*) to be examined as Witnesses; and may order the Jury to view the Places or Matters in Question: Which Jury on their Oaths, shall assess such Damages as they shall think fit; and the Commissioners shall give Judgment accordingly; and shall upon Oath hear and determine all Differences relating to the Premises: Which Verdict and Judgment shall be binding and conclusive against all Parties; and shall, together with the Orders, Sentences, Decrees, and other Proceedings of the Commissioners and Juries, be fairly written in Parchment, under the Hands and Seals of such of the Commissioners as shall make the same; and such of the Verdicts, &c. as shall relate to any Lands, &c. lying in the County of *Chester*, shall be transmitted to, and kept among the Records of the Quarter-Sessions of the said County; and such of them as shall relate to any Lands, &c. lying in the County of *Lancaster*, shall be transmitted to and kept among the Records of the Quarter-Sessions of the County of *Lancaster*; and shall be adjudged to be Records of the said Courts respectively; and the same, or true Copies thereof, shall be deemed good Evidence in any Court of Law or Equity; and all Persons may have Recourse to the same *gratis*, and take Copies thereof, paying for every Copy not exceeding 200 Words, 6*d.* and so proportionably: And on Payment of the Money, or Legal Tender thereof, and on Refusal of the same, then on Payment to such Person as the Commissioners shall appoint, for the Use of the Party interested, to be paid to the said Party without Fee or Reward; it shall then, and not before, be lawful for the Undertakers,

dertakers, to remove, pull down, dig, cut, or use, so much of the said Mills, Wears, Lands, &c. for which such Satisfaction shall be so assessed and decreed; and to enjoy the same for their own Use: And this Act shall indemnify the Commissioners, Undertakers, &c.

CXXVII. *Señ. 3.* The Undertakers shall not meddle with any Lands, &c. till such Payment or Tender as aforesaid, except to survey and lay out the Ground, or other Thing intended for the Purposes aforesaid; which they may do, giving Notice to the Owner or Tenant of the Lands, &c. of the Time of their Coming, that he may be present, if he think fit; making Satisfaction for Damage done to the Grass or Corn, if such Damage exceed 12 d.

CXXVIII. *Señ. 4.* Any seven of the Commissioners shall have Power to impose Fines on Persons summoned on Juries, that shall refuse to be sworn, or being sworn, shall not give their Verdict; or who shall in any other Manner wilfully neglect their Duties; and likewise on Persons summoned to give Evidence, who shall not appear, or shall refuse to be sworn, or give Evidence, so as no such Fine exceed 40s. And all such Fines are to be paid to the Undertakers, to be employ'd towards carrying on the Navigation.

CXXIX. *Señ. 5.* No Person shall sit or act as a Commissioner in any Case where he is interested, nor unless he be seized of an Estate of Freehold in Lands, &c. in one of the Counties, of 100 l. *per Annum.*

CXXX. *Señ. 6.* No Person shall be sworn on any Jury, where he is any Ways directly or indirectly concerned in the Premises in Question.

CXXXI. *Señ. 7.* If any Person, after the Undertakers shall begin to make the Rivers navigable, shall sustain any Damage in his Lands, &c. by any Act or Default of the Undertakers, or by Reason of any Alteration which shall be made by them on the said Rivers, Cuts, Trenches, &c. or on the Banks thereof; then any seven of the Commissioners shall enquire of and ascertain such Damages by a Jury to be impanelled and return'd as aforesaid, and give Judgment for the Party grieved, and record the same in the very same Manner, as the Damages before appointed to be assessed for any Lands, &c. made use of or damnify'd in making the Rivers navigable; and in Default of Payment by a certain Day to be appointed by the Commissioners, any seven of them may, by Warrant, authorize such Person as they shall think fit, to levy the same by Distress and Sale of the Undertakers Goods, together with such Costs and Charges as the said Commissioners shall in such Warrant direct, rendering the Overplus: Or the Party grieved may have his Remedy by Action of Debt, &c.

CXXXII. Sect. 8. Nothing herein shall authorize the Undertakers, by any Lock, Wear, or other Work, to raise the Water of the River *Irwell*, or of the River *Irk*, in *Manchester*, so as to hinder or prejudice the Working of the Corn-Mills, which now are, or shall hereafter be built, at which the Inhabitants of *Manchester* are bound by Custom within the said Town to grind their Corn.

CXXXIII. Sect. 9. If any Lock or other Work shall be erected, which shall raise the Water of the *Irwell*, or the *Irk*, so as to hinder the going of the Corn-Mills, such Lock, &c. is hereby declared to be a common and publick Nuisance; and it shall be lawful for any Persons, (by Order of the Feoffees of those Mills) to abate and demolish every such Lock, &c. and the Charges of the said abating, and all Damages that shall happen by any of the Mills being hinder'd in working, shall be paid by the Undertakers to the said Feoffees.

CXXXIV. Sect. 10. Nothing herein shall impower the Undertakers to erect any Wharf, Wharehouse, Key, or Landing-Place for Goods near the River *Mercy*, within one Mile of *Bank-Key* near *Warrington*; or to erect any Buildings near the said Rivers, but what shall be necessary, and in order to the carrying on and perfecting the said Navigation; and nothing by them to be built shall be made Use of as a Wharf, Warehouse, Key, or Landing-Place for Goods, without the Consent of the Owners of the Lands whereon such Buildings shall be erected.

CXXXV. Sect. 11. It shall be lawful for the Undertakers, at all Times hereafter, to demand and take for their own Use, for every Tun of Coal, Camel, Stone, Timber, and other Goods, carry'd to or from any Part of the Rivers *Mercy* and *Irwell*, between *Bank-Key* and *Hunts-Bank*, any Sum not exceeding 3 s. 4 d. over and besides what shall be paid for Freight; and so proportionably; and for Non-payment, may sue for the same by Action of Debt, &c. or may detain the Goods, and Vessels in which they are carry'd, till Payment; and if such Distress be not redeemed within four Days after taken, the Person distraining may, with the Constable, &c. of the Place, cause the same to be appraised, and may sell the same for Satisfaction of the Duty, leaving the Overplus in the Hands of the Constable for the Owner's Use.

CXXXVI. Sect. 12. For supplying the Number of the Commissioners in Case of Death, or Refusal to act, any thirteen may, by Instrument under their Hands and Seals, to be recorded by the respective Clerks of the Peace of the Counties of *Lancaster* and *Chester*, appoint others, qualify'd as aforesaid

in their Places, who shall have the like Powers, as if they had been expressly named in this Act.

CXXXVII. *Seç.* 13. The Undertakers may set up Winches and other Engines, and with the same, by the Strength of Men, Horses or Beasts, going on the Banks or Lands near the Rivers, Cuts, &c. draw, tow, or hale up or down the Rivers, any Boats, Barges, or other Vessels.

CXXXVIII. *Seç.* 14. The Undertakers shall, at their own Costs, set up and maintain Gates, Bridges, Passages and Stiles, in the Hedges and Fences in the Towing-Paths, and over the new Cuts, &c. for the Occupiers of Lands to come at their Lands, in such Manner as any seven of the Commissioners shall direct; and shall not remove any Beds of Sand, or Gravel, Piles, &c. for preserving of Fords; nor hurt or destroy any Bridges, Highways, common, publick or private Fords or Passages over the Rivers, till they have first, at their own Costs, perfected such other Conveniencies, at or near the same Places, for passing the same, as seven of the Commissioners shall adjudge proper, which shall be maintain'd in sufficient Repair by the Undertakers.

CXXXIX. *Seç.* 15. If the Undertakers shall raise the Water above its usual Height, whereby the adjacent Lands may be made more liable to be overflow'd than formerly; then they shall cause Banks to be proportionably raised, so as the new Banks may be able to contain the Water at such its raised Height: And if they shall make any new Cuts, by Reason whereof any Person shall not have convenient Ingress and Regress, into or out of his Lands, &c. then the Undertakers shall make and maintain such sufficient Bridges, or other Passages, over every such new Cut, as by seven of the Commissioners shall be directed.

CXL. *Seç.* 16. No Meeting shall be held by the Commissioners above six Miles from the Matter or Place in Question; nor shall any Advantage or Exception be taken touching the County, so as it be within that Distance.

CXLI. *Seç.* 17. Every Master and Owner of any Boat, Barge, &c. shall be responsible for the Damage done by his Vessel or Crew, to any Bridges, Weirs, Locks, &c. or for any Trespas on the Lands, &c. and may be sued for the same; and if a Verdict pass against him, &c. the Plaintiff shall recover Damages and full Costs.

CXLII. *Seç.* 18. The Rivers *Mercy* and *Irwell* shall for ever hereafter be esteemed to be navigable, and free for all Persons to pass up and down, paying the Rates to the Undertakers.

CXLIII. *Seç.* 19. Owners and Occupiers of Lands, &c. near the Rivers, may use Pleasure-Boats without any Interruption

ruption from the Undertakers, and without paying any Rate for the same, so as they are not made Use of for carrying of Goods.

CXLIV. *Seff.* 20. Saving to the Lords and Owners of all Royalties, &c. their Rights of Fishing and Fowling on the Rivers.

CXLV. *Seff.* 21. No Duty shall be demanded for any Manure carried on the Rivers, in any Vessel belonging to, or hired by any Owners or Occupiers of Lands within five Miles from the Rivers.

CXLVI. *Seff.* 22. All Goods (as heretofore the same have been) shall be free from Toll between *Liverpoole* and *Bank-Key*.

CXLVII. *Seff.* 23. The Rivers *Mercy* and *Irwell*, between *Liverpoole* and *Hunts-Bank*, shall not be under the Survey of any Commission of Sewers.

CXLVIII. *Seff.* 24. This Act shall not empower the Undertakers to make any Cut or Sluce through or upon any of the Lands, called *Arpley-Lands* or Meadows, below *Warrington-Bridge*, or other Lands thereto adjoining in the County of *Lancaster*, without an Agreement first made with the Owners thereof.

CXLIX. *Seff.* 25. No Advantage shall be taken by the Death of any of the Undertakers; but the Heir shall stand in the Place of him that dies.

CL. *Seff.* 26. None of the Locks shall be refused to be opened on Demand for the free Passage of any Pleasure-Boat, Fishing-Boat, or Boat carrying Manure.

CLI. *Seff.* 27. Before the Undertakers shall cut down any Poplar, or other Trees growing on the Banks of the Rivers, they shall treat, and endeavour to agree with the Owners, not only for the Trees so to be cut down, but also for the Loss and Damage the said Land-Owners may for the Future sustain for the Time (whether it be for Years, or for ever) they shall be deprived of Planting; and if they cannot agree, then any seven of the Commissioners shall; by a Jury and Evidence, ascertain and determine such Damage, both present and future, in the same Method of Proceedings, as is before directed.

CLII. *Seff.* 28. If any Person be sued for any Thing done in Pursuance of this Act, he may plead the General Issue, &c. and recover full Costs.

CLIII. *Seff.* 29. This Act shall be allow'd in all Courts as a publick Act; and all Judges, Justices, and other Persons are to take Notice thereof as such, without special pleading the same.

CLIV. Stat. 7 G. c. 17. Sect. 1. *James Earl of Barrymore; Sir Richard Grosvenor, Sir Thomas Brooke, Barts. Charles Cholmondeley Esq; and Roger Wilbraham of Nantwich Esq;* (who are hereby appointed Undertakers and Trustees) are hereby impower'd to make the River *Dane* navigable from *Northwich*, where it joins the River *Weaver*, to the Falling in of *Wheelock-Brook*, and from *Wheelock-Brook* up to *Wheelock-Bridge*; and to continue and maintain the Navigation; and for these Purposes, to clear, scour, open, enlarge or straiten the said River and Brook, and to dig or cut the Banks thereof, and to make any new Cuts, Trenches or Passages for Water through the adjoining Grounds; and to remove all Trees, Roots of Trees, and other Impediments which may hinder the Sailing or Haling of Vessels on the said River and Brook, &c. and to lay the same on the Lands adjoining; and to build or set up such and so many Bridges, Sluces, Locks, Weirs, Pens for Water, Stanks, Dams, and other Works, as and where they shall think fit, and to alter and repair the same; and to make necessary Ways and Passages for the carrying of Goods to and from the same River, &c. and for conveying all Materials for perfecting the Navigation, and for altering and repairing the same; and to lay the said Materials on the Ground near the Places where the Works shall be made; and to amend, heighten, or alter any Bridges; and to alter or turn Highways, as may any ways hinder the Navigation; and to set out, and make Towing-Paths, &c. first giving Satisfaction to the Owners of Lands, Mills, &c.

CLV. Sect. 2. Commissioners appointed, (*near 120 in Number, whose Names see in the Act*) any seven of whom are to mediate between the Undertakers and Proprietors; and to determine what Satisfaction every Person shall have for his Damage sustained; and to settle what Share of such Money every Tenant or other Person having a Particular Estate in the Premises, shall have for his Interest therein: And if any Person shall dislike such Determination of the Commissioners, or decline such Mediation; or, upon convenient Notice given in Writing, shall, by the Space of ten Days after, neglect or refuse to treat with the Undertakers, or shall not agree with them touching the Premises within ten Days after such Treary begun; or through any Disability cannot treat and make such Agreement; or by Reason of Absence shall be prevented from treating; then in any such Case, any seven of the Commissioners are authorized to issue their Warrant under their Hands and Seals to the Sheriff of the County of *Chester*; or if such Sheriff be interested in the Thing in Question, or any Ways related to the Parties concerned, then to the Coroners of the said County; and the said

said Sheriff and Coroners are required accordingly, to impanel and return a Jury of 24 able Men, qualify'd according to Law, to appear before the Commissioners at such Time and Place as by such Warrant shall be appointed; on Forfeiture of 50*l.* for every Default in not making such Return, and for every unqualify'd Person return'd, 40*s.* and shall also return in Issues on every Person so impanelled 40*s.* or more; which Forfeitures and Issues shall be estreated and levied to the Use of the Undertakers by Warrant of seven of the Commissioners; and for Default of a sufficient Number of Jurymen appearing, the Sheriff, &c. shall return other indifferent Men of the Standers-by, to make up the Jury to the Number of Twelve; and all Parties concerned may have their lawful Challenges against any of the Jurymen: And any seven of the Commissioners may summon before them all Persons necessary to be examined as Witnesses; and also order the Jury to view the Places or Matters in Question: Which Jury shall on their Oaths enquire of and assess such Damages as they shall think fit to be awarded to the Owners of Land, &c. and the Commissioners shall give Judgment for the Sums so assessed; and shall also on Oath hear and finally determine all Controversies: Which Verdict, Judgment, &c. (Notice in Writing being given of their Meeting at least ten Days before, to every Person concerned) shall be binding and conclusive to all Parties; and shall be set down in Writing under the Hands and Seals of the Commissioners that shall make the same; and on Payment or Tender of the Money to the Party concerned, and if on such Tender they shall refuse to receive the same, then on Payment thereof into the Hands of such Person as seven of the Commissioners shall appoint to receive the same for the Use of the Parties interested, the Undertakers, &c. may proceed to do any Works, &c. for carrying on the Navigation; and this Act shall indemnify, as well the Commissioners as Undertakers, and all Persons employ'd by them, against such Owners, &c.

CLVI. *Seç. 3.* No Person shall act as a Commissioner, unless he be seized of an Estate of Freehold in the County of Chester, of 100*l. per Annum*, nor sit or act in any Case where he is interested in the Premises in Question.

CLVII. *Seç. 4.* Persons summoned to give Evidence, refusing to appear, or to be sworn and give Evidence, shall forfeit to the Undertakers 40*s.* to be levied on their Goods by Warrant from the Commissioners, or to be recover'd by Action of Debt, &c.

CLVIII. *Seç. 5.* In Case of any Commissioners Death or Refusal to act, any seven of the other Commissioners, may by Writing under their Hands and Seals, appoint others so qualify'd in their Places, who shall have the like Powers, &c.

&c. And every such Nomination shall be recorded in the Commissioners Books.

CLIX. *Señ. 6.* The Undertakers may demand from all Persons who shall carry Goods on the River *Dane* or *Wheelock-Brook*, between *Northwich* and *Wheelock-Bridge*, or any Part thereof, such Duties (besides, what shall be paid for the Freight) as they shall think fit, not exceeding 1 s. 6 d. per Tun, till all the Charges of making the River and Brook navigable be fully satisfy'd; and afterwards not exceeding 9 d. per Tun; and on Refusal of Payment they may stop the Goods, or the Vessel, till satisfy'd.

CLX. *Señ. 7.* The Undertakers may set up and use Winches and other Engines, and with the same, by the Strength of Men, Horses, &c. may, without the Let of any Person whatsoever, tow or hale up any Boats, &c.

CLXI. *Señ. 8.* Every Master or Owner of any Barge, &c. is made answerable for any Damage done by his Barge, &c. or by any of the Crew, to any Bridges, Weirs, &c. and for Trespas done to the Owners of Lands, &c. and may be sued for the same; and if found guilty, the Plaintiff shall recover his Damages and full Costs.

CLXII. *Señ. 9.* The River *Dane* from its joining the River *Weaver* at *Northwich*, to the Falling in of *Wheelock-Brook*, or *Wheelock-Brook* from thence to *Wheelock-Bridge*, or any of the Works to be erected for making and keeping the said River and Brook navigable, shall not be under the Survey of any Commission of Sewers.

CLXIII. *Señ. 10.* Owners of Lands near the River or Brook, may use Pleasure-Boats without paying any Duty, so as they are not made Use of for carrying of Goods.

CLXIV. *Señ. 11.* The River and Brook shall for ever be esteemed navigable from the joining of *Weaver* and *Dane* to *Wheelock-Bridge*; and all Persons may have free Passage on the same, paying the Duties as by this Act is directed.

CLXV. *Señ. 12.* Saving to the Lords or Proprietors of Royalties on the River, their Rights of Fishing and Fowling on the same.

CLXVI. *Señ. 13.* No Duty shall be taken for any Dung, Marle, or Manure, convey'd in any Vessel belonging to any Owner or Occupier of Lands, within the Distance of five Miles from the said River or Brook.

CLXVII. *Señ. 14.* All Persons may carry Goods in any Boat, &c. up and down the River and Brook, subject to the Regulations and Duties in this Act expressed.

CLXVIII. *Señ. 15.* All the Proceedings of the Commissioners, the Verdicts of all Juries, all Orders, Sentences and Decrees, all Instruments appointing new Commissioners, and all other Proceedings about the Navigation, shall be written in Parchment

ment by the Commissioners Clerk, and certify'd under the Hands and Seals of seven of the acting Commissioners, and by them transmitted to the Clerk of the Peace for the County of Chester, who is to deliver the same among the Records of the County, to the *Custos Rotulorum*; and the same, or true Copies thereof, shall be allowed as Evidence in any Court; and all Persons may have Recourse to the same *gratis*, and take Copies thereof, paying for every Copy not exceeding 200 Words, 6*d.* and so proportionably; and the Undertakers and Trustees shall pay the Commissioners Clerk for every Transcript not exceeding 200 Words, 6*d.* and so proportionably.

CLXIX. *Seff.* 16. No Meeting shall be held by the Commissioners at any Place above seven Miles from the Premises in Question.

CLXX. *Seff.* 17. If after the Undertakers shall begin to make the River and Brook navigable, any Loss or Damage, other than what is herein provided for, shall happen to the Owners or Occupiers of any Lands, or to any Wears, Bridges, &c. in, upon or adjoining to the said River or Brook, by any Act or Default of the Undertakers, any seven of the Commissioners shall enquire, and assess such Damage by a Jury, and give Judgment for the same accordingly; which shall be assessed to the Party grieved in the same Manner, as is herein before appointed for Lands, &c. cut or damnify'd in making the same River or Brook navigable; and in Default of Payment, may be levied by Distress, &c. or otherwise, the Party grieved may have Remedy by Action of Debt against the Undertakers.

CLXXI. *Seff.* 18. The Undertakers shall set up and maintain convenient Gates and Bridges, Passages and Stiles in all the Hedges and Fences in the Towing-Paths; and shall not obstruct or destroy any Fords, Bridges, Highways or Passages over the River or Brook, without making other Conveniencies for passing, at or near the same Places.

CLXXII. *Seff.* 19. The Undertakers shall set up and maintain such Bridges over the new Cuts, Trenches, &c. for the Owners or Occupiers of Lands, &c. to come at their Lands, and in such Manner, as seven of the Commissioners shall direct.

CLXXIII. *Seff.* 20. The Undertakers may retain, out of the clear produce of the Duties, after the Work shall be finished, all such Sums of Money as shall have been advanced by them, with Interest at 5*l. per Cent.* and 1*l. per Cent.* for the Risque and Hazard of the Undertaking, yearly, till the same be fully repaid.

CLXXIV. *Seff.* 21. The Undertakers, with the Consent of nine of the Commissioners at a general Meeting, may borrow Money at the said Interest and Allowance for carrying on

on the Undertaking; and shall repay the same out of the first clear Produce of the Duties after the Work shall be completed, and the several Sums by them advanced, are repaid.

CLXXV. *Señ. 22.* The Commissioners, or any thirteen of them, shall yearly, on the third *Wednesday* after *Michaelmas*, assemble themselves in the Town-Hall, or some other convenient Place in *Middlewich* or *Northwich*, to examine the Undertakers Accounts; and their Allowance thereof, under their Hands and Seals, shall be a sufficient Discharge to the Undertakers; and the Commissioners so assembled, are to make a reasonable Allowance to the Undertakers for their Trouble and Care, &c.

CLXXVI. *Señ. 23.* After the Work shall be finished, and all Disbursements fully paid, together with the Sums advanced, with such Interest and Allowance as aforesaid; then the clear Produce of the Duties shall be employ'd for amending the publick Bridges within the County of *Chester*, and such other publick Charges, and in such Manner, as the Justices at the Quarter-Session after *Michaelmas* for the said County shall direct.

CLXXVII. *Señ. 24.* So much of the said clear Produce of the Duties, or so much thereof as the said Justices at the said Quarter-Sessions yearly shall think fit, shall be employ'd towards repairing the Highways, near and leading to the River and Brook, in such Manner and Proportion as the said Justices shall order, for the extraordinary Expences which shall be occasion'd by carrying Salt and other Goods through the same.

CLXXVIII. *Señ. 25.* After repairing the publick Bridges, &c. if there be any Surplus of the Tunnage, it shall be employ'd towards repairing such other Highways in the County, as the Justices at the said Quarter-Sessions shall yearly appoint.

CLXXIX. *Señ. 26.* In Case of any Vacancy by Death of any of the Undertakers, or any of their Refusal to act, any thirteen of the Commissioners may nominate other Persons in the Room of such Undertakers, who shall have the like Powers as the Undertakers appointed by this Act; and every Instrument and Nomination of new Undertakers is to be recorded in the Commissioners Books.

CLXXX. *Señ. 27.* If the Undertakers shall not finish the Navigation within five Years next, to be computed from the Time the *Wearer* shall be navigable from *Frodsham-Bridge* to the Meeting of the *Dane*, then any thirteen of the Commissioners, at of any their yearly Assemblies, may appoint others to be from thenceforth Undertakers, who shall have the like Powers, as in this Act are provided and granted to the Undertakers,

takers, hereby appointed; and such Nomination of new Undertakers shall be recorded in the Commissioners Books; and all future Vacancies shall be filled up in like Manner.

CLXXXI. *Seft.* 28. Persons sued may plead the General Issue, &c. and recover full Costs.

CLXXXII. *Seft.* 29. If the Undertakers raise the Water above its usual Height, whereby the adjacent Lands may be more liable to be overflow'd than formerly, then the Undertakers shall cause the Banks to be proportionably heighten'd in all Places where Need shall require, and maintain and repair the same.

CLXXXIII. *Seft.* 30. This Act shall be allow'd in all Courts as a publick Act; and all Judges, Justices and Stewards of Courts are to take Notice thereof as such, without special pleading the same.

CLXXXIV. *Stat.* 8 G. c. 14. *Seft.* 1. *Thomas Pattinson, John Hicks, and Henry Orme, of Carlisle* in the County of Cumberland, who are hereby appointed Undertakers, their Heirs and Assigns, are empower'd to cleanse and improve the Passage in the River *Eden* for Boats, Lighters, Barges, and other Vessels, and to make the same more perfectly navigable from *Ellen-Foot* to *Bank-End*; and for that Purpose to cut, dig, cleanse and deepen the said River; and to build or make such new Works, Keys, Cranes and Wharfs, as they shall think fit, in the Soil of any Persons whatsoever, and to remove and take away all Sand, Gravel-Beds, or any other Impediments, that may hinder the Navigation, either in Sailing, Haling, Towing or Drawing Boats, Barges, &c. with Men or Horses, or otherwise, between the said Places; and to repair and alter the same as often as they shall think convenient. And the said Undertakers, their Deputies, Servants, &c. shall at all Times have free Ingress and Regress, with Carts, Carriages, &c. through the Grounds adjacent, for the necessary Performance of the Undertaking, and for the Making, Erection, Repair, Alteration, or Use of any Works, &c. which are or shall be built, &c. and may lay their Materials, Utensils, &c. on the Grounds near the River, and frame and prepare them there as they shall think fit; and may do all other Matters as they shall think necessary for the meliorating and using the Navigation.

CLXXXV. *Seft.* 2. Provided, that the Undertakers shall not straiten the River any otherwise than by making it deeper; nor do any Thing to raise the Water higher than usual, nor cut away or weaken the Banks, nor make any Cuts or Chanels in the Lands adjoining.

CLXXXVI.

CLXXXVI. *Seff.* 3. The Justices of Peace for the County of *Cumberland*, at their Quarter-Sessions, shall have Power, in Case the Parties cannot agree, to determine and decree, what and how much, and in what Manner, Satisfaction shall be given by the Undertakers to any Person by whom any Loss or Damage shall be sustained, either by carting over, or otherwise using their Grounds; and to that End, on Complaint to them made, they may summon all Parties concerned, and enquire by Examination of Witnesses on Oath, and by all other lawful Ways and Means, which may tend to manifest the Truth, what and how much Loss or Damage may have been sustained by any Person; and shall make such Determination therein, as to the major Part of them shall seem just and reasonable: Which Determinations shall be enter'd by the Clerk of the Peace on the Rolls of the Sessions, and be kept amongst the Records of the Sessions of the Peace for the said County; Transcripts whereof shall be deliver'd by the said Clerk to such Persons as shall require the same; all which, and all other Determinations, Orders and Decrees, made by the said Justices by Virtue of this Act, and so enter'd and kept as aforesaid, shall be adjudged to be good Evidence in any Court whatsoever, and shall be conclusive against all Parties, as well Infants, Females Covert, Tenants in Tail, Copyholders, as others; and no *Certiorari*, Writ of Error, or other Process, shall be awarded to remove the same; and the said Justices may award Costs in such Cases as to them shall seem reasonable: And if any Person shall neglect to appear according to Summons; then the Justices, on Oath that they were duly served with such Summons, shall proceed to enquire of the Damage sustain'd by the Person complaining, and determine and decree what and how much Satisfaction such Person shall have, as they might have done, if the Person not appearing had actually appeared before them; and the same Determinations and Decrees shall be likewise as binding to the Parties not appearing, and as beneficial to the Party complaining, as if the Party had appeared: And what Money shall be decreed to be paid by the Undertakers, they shall pay the same within ten Days after Notice of such Order, if the Person to whom it is to be paid, be ready and willing to receive the same; and in Case of Refusal or Neglect of Payment for the Space of six Days after Notice, any two Justices, no ways interested in the Undertaking, and living within the County where the Party who ought to pay the same, inhabits, may levy the same by Distress and Sale of the Goods of the Party so refusing or neglecting as aforesaid, rendring the Overplus (the Charges of the Distress and Sale being first deducted); and if sufficient Distress cannot be found,

found, the Record of the Sessions is to be certify'd by the Clerk of the Peace into the King's Bench or Common Pleas, and Execution to go thereon for Recovery of Damages.

CLXXXVII. *Seç.* 4. It shall be lawful for the Undertakers after 2 Feb. 1721, for 31 Years, viz. till 2 Feb. 1752, to take, for all Coals, Cynders, Lime or Lime-stone, carry'd by Boar, &c. and landed between *Ellen-Foot* and *Banck-End*, the Tolls following, that is to say, For every Tun of Coals 8*d.* for every Tun of Cynders, not exceeding 1*s.* 4*d.* and for every Tun of Lime or Lime-stone, 8*d.* and so proportionably: Which Sums the Undertakers may demand either of the Owner, or of the Lighterman, &c. at their Election.

CLXXXVIII. *Seç.* 5. Every Waterman, Lighterman, &c. shall give a just Account of the Quantity of all Coals, Cynders, Lime or Lime-stone by him carry'd; and of the Name of the Owner, to the Undertakers, or their Agents, &c. which Account being put into Writing by the Undertakers, or any of their Deputies, &c. the Person giving the said Account, shall subscribe his Name or Mark to the same; and on Refusal to give such Account, or to subscribe the same, or to pay the Tolls, the Undertakers or their Agents, &c. may detain the Coals, &c. or the Vessel, till an Account of the Quantity of such Coals, &c. and of the Name of the Owner, shall be given and subscribed, and till the Toll be paid; or the Undertakers may sue for the same by Action of Debt, or on the Case, in any Court of Record; or distress any Coals, &c. or the Vessel in which charged, till Payment of the Toll, together with the Charges of taking such Distress; and if the Distress be not replevy'd within four Days, the Persons distraining may, with a Constable, &c. cause the Vessel or Goods so distrained, to be appraised by two sworn Appraisers to be appointed by such Constable, &c. and may sell the same for Satisfaction of the Duty, and of the Charges of such Distress, &c. leaving the Overplus in the Hands of the Constable for the Use of the Owner: And if the Undertakers, or their Agents, shall suspect, that the Account given them by any such Waterman, &c. is not a full and true Account, they may cause the Coals, &c. to be measured or weighed, at their own Costs and Charges.

CLXXXIX. *Seç.* 6. If any Person shall wilfully, or by Force, obstruct or oppose the Undertakers, their Workmen, &c. in the doing any Thing which they are by this Act authorized to do; or shall do any Damage to the Keys, Warehouses, Cranes, Wharfs, or other Works, the Undertakers may maintain Action of Trespass, or on the Case against them; and if the Defendant be found guilty, and Judgment be

be had thereupon, or by Default, or otherwise, the Plaintiffs shall recover treble Damages and full Costs.

CXC. *Seç. 7.* Any Person that shall so hinder or oppose the Undertakers, or that shall do any such Damage as aforesaid, may, by Warrant from any Justice for the County of *Cumberland*, or by the Authority of this Act, be apprehended by the Constable of the Parish, where found, and carry'd before any Justice, who, on Proof by one or more Witnesses upon Oath, shall order such Person, for the first Offence, to be set in the Stocks, in the Place where apprehended, for one Hour; and for the second, and every other such Offence, shall send him to the House of Correction for one Month.

CXCI. *Seç. 8.* All the Wharfs, Keys and Cranes shall be in Common, for the unloading of Coals, &c. for all Persons to make use of in Order and Course as they come with their Boats, &c. and they shall have Liberty to lay and keep the Coals, &c. on any adjoining Ground, in the same Manner as the Undertakers may do by any Agreement made by them with the Owners of the Ground, so as they remove the same within three Days from the Time of unloading.

CXCII. *Seç. 9.* Every Boat-master, &c. shall be answerable for any wilful Damage done by his Vessel, or by his Crew, to the Keys, &c. and may be arrested and sued for the same, by Action of Trespass, or on the Case; and if found guilty, the Plaintiff shall recover the Damages sustained, and treble Costs of Suit: And if any Person shall lay any Boat or other Vessel near any Key, &c. and upon Request, refuse to remove the same to some other Place higher or lower on the River, where the same may be no Obstruction, the Undertakers, their Servants, &c. may enter into such Vessels, and remove them as they shall see Cause; and in Case of Opposition or Refusal to permit the Undertakers, their Servants, &c. to enter into such Boat, &c. or to remove the same; every Person so opposing or refusing may, by one Justice, or by Authority of this Act without other Warrant, be apprehended by the Constable, and carry'd before any Justice for the County, who, on Proof by one or more Witnesses on Oath, or Confession of the Party, shall order such Person to be set in the Stocks for one Hour for the first Offence; and for the second, and every other Offence, shall commit him to the House of Correction for one Month, as a Punishment for his Disorderliness and Perverseness.

CXCIII. *Seç. 10.* If any Person throw any Roots, Dirt, &c. into any Part of the River between the Places aforesaid, and thereby obstruct or damage the Navigation, the Under-

Undertakers may bring an Action of Trespass against him; and if they obtain a Verdict and Judgment thereupon, or by Default, they shall recover in Damages so much as the Removing such Obstruction shall cost, and all other Damages sustain'd by them, or by any other Person navigating on the River, together with treble Costs of Suit.

CXCIV. *Señ. 11.* The Undertakers are to make, set up, maintain, and keep in Repair, convenient Gates, Bridges, Passages and Stiles, in all the Hedges and Fences that shall be pulled down, or alter'd for the Conveniency of the Navigation: And this Act shall indemnify the Undertakers, and all others acting under them, against all Persons whatsoever, for all things by them done relating to the Navigation, or any Keys or other Works, or that shall be done in Pursuance of this Act.

CXCV. *Señ. 12.* All Acts, Powers, &c. by this Act before obliged to be done, or which are granted to the Undertakers, shall continue for the Term of 31 Years, viz. from 2 Feb. 1721, till 2 Feb. 1752. Saving to the Lords and Owners of any Royalties, Liberties, or Rights of Fishing, Fowling, or other Rights, upon the said River, their said Rights within their respective Manors.

CXCVI. *Señ. 13.* No Advantage shall be taken of the Death of any of the Undertakers by the Survivors; but the Heirs and Assigns shall at all Times stand in the Place of him dying, as to all Powers by this Act granted to the Undertakers.

CXCVII. *Señ. 14.* When the River *Eden* is deepned, cleans'd, and made more navigable, Coals carried from *Ellen-Foot* to *Bank-End*, or from any Creek or Place to any other Creek or Place between *Ellen-Foot* and *Bank-End*, shall not in Respect of such Carriage be liable to any Duties, as if they were Coals Waterborn, or carried to Sea; or shall not be deemed liable to any Duty otherwise than by this Act imposed.

CXCVIII. *Señ. 15.* Provided, That the Owner or Master of every such Boat or Vessel carrying such Coals, do first enter into Bond, with sufficient Sureties, at least once a Year, in a Penalty not exceeding 300*l.* with a general Condition, That all such Coals as he shall take on Board his Vessel by Virtue of a Sufferance from the proper Officer, shall be landed in the Bay or Firth of the River *Eden* in the County of *Cumberland*, lying to the Nothward of *Ellen-Foot*: And he shall bring a Return signed by the proper Officer, that such Coals were there duly landed, the Persons concern'd paying for each Bond 1*s.* and no more, besides Stamp-Duties; and to the Officers granting the Sufferance

Robbery.

and, Return for each Vessel 4*d.* to be distributed as the Commissioners of the Customs shall think proper.

CXCIX. *Señ.* 16. No Master or Owner of any Vessel shall be oblig'd to take any Certificate, Sufferance, or other Testimonial, from the Officers of the Customs, at or for removing, loading, shipping, or conveying any Lime or Limestone from any Creek or Place to any other Creek or Place between *Ellen-Foot* and *Bank-End*, or to pay any Fee to any Officer whatsoever.

CC. *Señ.* 17. If any Person be sued for any Thing done in Pursuance of this Act, the Actions shall be brought in the County of *Cumberland*, and not elsewhere; and such Person may plead the General Issue, &c. and on Judgment, &c. recover double Costs.

CCI. *Señ.* 18. This Act shall be deemed to be a publick Act, and be judicially taken Notice of as such, by all Judges, Justices, and other Persons, without special pleading the same.

Robbery.

I. Stat. 6 G. c. 1. *Señ.* penult. After 24. *June* 1720, no Receiver General of the Taxes by this Act granted, nor any of his Agents or Servants, shall maintain any Action against any Hundred in *England*, on Account of being robbed on the Highway, of any such Money, unless the Persons carrying such Money shall, at the Time of such Robbery, be together in Company, and be in Number three at the least, to attest the Truth of their being so robbed.

II. Stat. 6 G. c. 23. *Señ.* 8. The Streets of *London* and *Westminster*, and other Cities, Towns, and Places, shall be deemed to be Highways within the Meaning of the Act 4 & 5 W & M. c. 8. For the Encouraging the Apprehending of Highwaymen, And all Certificates to be signed upon Convictions for Robbery, shall be signed and paid without Deduction or Fee, excepting 5*s.* for writing and drawing thereof; and that as well where the Offenders plead Guilty, as where they are convicted on Evidence: And if any Person, under Pretence of signing or procuring to be signed any such Certificate, or on Account of Payment of the Money allowed therein, shall take any Fee or Reward, other than as aforesaid, every such Offender shall forfeit 40*l.* to be recovered by Action of Debt, &c. to the Use of the Person entitled to the said Certificate, on Account of which such Fee or Reward was taken.

III. Stat.

III. Stat. 10 G. c. 17. Sect. 1. The Act 13 & 14 Car. 2 For preventing Theft and Rapine on the Northern Borders of England, which by 12 A. Sess. 1. c. 10. was continued, and is now near expiring, shall be farther continued from the Expiration thereof for 11 Years.

Sail-Cloth.

I. Stat. 10 G. c. 17. Sect. 4. The Act 12 A. Sess. 1. c. 16. For the better Encouragement of the making of Sail-Cloth in Great Britain, which by 5 G. c. 25, was continued for seven Years, and from thence to the End of the then next Session of Parliament, shall be farther continued for seven Years, and from thence to the End of the then next Session of Parliament.

Salt.

I. Stat. 6 G. c. 11. Sect. 51. To supply a Defect in the Act 1 G. c. 18. Enacted, that all Foreign Salt, imported, cellar'd, and lock'd up, as that Act directs, before 24 June 1719, shall, at the Desire of the Proprietors or their Agents, be turn'd over as Stock in Hand for the Use of the Fishery, Duty-free, but subject to the same Conditions and Restrictions, and to have the same Advantage, as other Foreign Salt intended for the Use of the Fishery, and imported after the said 24 June 1719.

II. Stat. 8 G. c. 4. Sect. 5. All such Quantities of Foreign or British Salt, as have been deliver'd Duty-free, into the sole Custody of any Person for the curing of Fish for Foreign Markets, since 24 June 1719, and before 25 March 1722, and which shall not be accounted for as the Act 5 G. c. 18, directs, on or before 25 March 1722, shall be accounted for as the said Act directs, on or before 24 June 1722, on Penalty of 10 s. per Bushel, to be recover'd of the Proprietors, or Persons to whom, or for whose Use the said Salt was delivered, for every Bushel so delivered to, or received by them, Duty-free, for the curing of Fish for Foreign Markets.

III. *Seç.* 9. All such Quantities of Foreign or *British* Salt, as shall be so delivered for the curing of Fish for Foreign Markets, after 25 *March* 1722, shall be accounted for yearly, as the said Act directs, within three Months after the Expiration of each Year: And every Person who shall receive into his Custody any Quantity of Salt Duty-free, for curing of Fish for Foreign Markets, that shall neglect or refuse to weigh over to the proper Officer, what of that Salt shall remain in his Hands, or to deliver yearly within three Months after the Expiration of each Year, such Accounts of the Salt received, as aforesaid, and of the Fish cured therewith, and exported as the Act directs, together with a Certificate by the proper Officers of the Port where the Fish was shipped for Exportation, verifying the said Account, (which Certificates such Officers are to give *gratis* and without Delay) shall for every Offence forfeit 10 s. *per* Bushel, to be recovered of the Proprietors or Persons to whom, or for whose Use the said Salt was deliver'd, for every Bushel so delivered to, or received by him: One Moiety of all which Penalties aforesaid to be to the King, the other to the Officer who shall sue or inform for the same; to be sued for, &c. as by any Law of Excise, or by Action of Debt, &c. in any Court at *Westminster*, or in the Exchequer in *Scotland*, wherein no *Essoin*, &c. shall be allowed.

IV. *Seç.* 10. All Merchants and Owners of Salt, which after due Payment of the Duty, shall perish or be lost in any of the Ports, Harbours or Rivers of this Realm, by Storms or Rages of the Tides from Sea, or by the stranding, oversetting, sinking, or casting away of any Ships, Barges, or Lighter-Boats, shall, upon such Proofs thereof as by the recited Act is directed, be entitled to such Certificate, and thereupon to such Right and Privilege in all Respects, as Owners of the like Salt lost at Sea in the like Case are entitled by Virtue of the said Act.

V. *Stat.* 8 G. c. 16. *Seç.* 5. After 25 *March* 1722, any Refiner of Rock-Salt may deliver, in Presence of a Salt-Officer, to any Curer of Fish, any such Quantity of refined Salt, where the same is allowed by Law for curing Fish for Exportation, as they shall think proper for curing Fish for Foreign Markets; and the Collector of the Duties shall give a Certificate of the Quantity deliver'd, and to whom, and whither to be carried; and the Officer of the Place whither the same shall be carried, shall give a Certificate of the Quantity brought thither, and lodged in a Warehouse under the Lock and Key of the said Officer,

as well as the Proprietor ; and if it shall appear to be the full Quantity that was first delivered, (making reasonable Allowance for Waste) such Certificate shall be accepted by the Collector of the Duties at the Rock-Pits, towards discharging the Security given for the Duty on the Rock-Salt made use of in making the said refined Salt. And on the Warehousing any such refined or other Salt deliver'd Duty-free for the curing of Fish for Foreign Markets, that has been brought by Sea in any Vessel whatsoever, the Master, Mate, or Boatswain shall make Oath before the Officer of the Salt-Duties, That all the Salt he took in at the Place of Loading (mentioning the Quantity) is deliver'd to be lodg'd in a Warehouse, and that there was no Salt added to it or taken from it at such Place of Loading, or since he came from it, to the best of his Knowledge and Belief ; under Penalty of forfeiting double the Value of the Salt otherwise delivered, and 10 s. per Bushel. And if it shall happen that the Vessel on which such refined Salt is shipped, shall either perish at Sea, or be taken by Enemies, with such Salt on Board her ; the Merchant or Owner of such Salt, shall, on Proof before the Justices of Peace at the Quarter-Sessions for the County, &c. where he doth inhabit, of the Loss of such Salt, receive from the Sessions a Certificate, that such Proof was made before them ; upon producing whereof to the Collector at the Rock-Pits, it shall be accepted by him, towards discharging the Security given for the Duty on the Rock-Salt made Use of in making such refined Salt.

VI. Stat. 9 G. c. 19. Sect. 13. For Relief of *James Earl of Barrymore, George Venables Vernon Esq; Thomas Warburton Esq; and Matthew Page Gent.* in Respect of Bonds enter'd into for the Duty of Salt lost in the Rivers *Weaver and Mercy*, in December 1720, by the High Tides and Overflowing of the said Rivers, It is enacted, That on Payment of the Duty of so much of the Salt, for which the Bonds were given, over and above what was consumed, if any such remain due, every such Bond given for the Duty of the Salt so lost, shall be, and is hereby declared void ; and the Officer who has the Custody of the said Bonds is directed to cancel or deliver them up to the Persons concerned ; and no Prosecution at Law, or otherwise, shall be commenced or carried on in Respect of the said Bonds, such Payment being first made of the rest of the Duty.

Scotland.

Aberdeen.

I. Stat. 8 G. c. 28. Sect. 1. Any Person who is, or shall be, before 25 March 1723, possessed of any Extract or Precept, which has been given out of the Commissar Clerk's Office in *Aberdeen*, which was consumed by Fire on 30 Oct. 1721, since 30 Oct. 1721, and before 30 Oct. 1721, may, before 25 March 1723, tender the said Extract or Precept to the Clerk of the Commissariat, in the Presence of the Commissar, which at the Time it shall be so produced, shall be marked by the Commissar, who and his Clerk shall thereupon sign a Minute, mentioning the Person by whom the said Extract or Precept was tender'd, and the Time when; and the Person by whom it was produced, shall likewise sign the said Minute, signifying that he had tender'd the same to the Commissar and his Clerk, to be register'd in a proper Book to be kept for that Purpose: And the Clerk is required to receive all such Extracts, as shall in the Manner, and within the Time aforesaid, be presented to him, to record them in a particular Register to be kept for that End; and to give out to the Persons who presented the same, new Extracts or Precepts, for each of which there shall be paid to the Commissar Clerk of *Aberdeen*, or his Deputy, 6 d. Sterling: Which new Extracts or Precepts shall be of the same Evidence and Authority in any Judgment to be given, as the old Extracts or Precepts were at any Time before they were burnt.

II. Sect. 2. The Extracts or Precepts, so to be deliver'd into the said Clerk's Office, shall remain there, as the Warrant of the new Extracts or Precepts, so to be given out.

III. Sect. 3. All Extracts or Precepts to be deliver'd into the Clerk's Office, which have been produced in any Process before the Lords of Session, or any other Court in *Scotland*, or made publick, otherwise than by having been register'd in the Commissary Court-Books of *Aberdeen*, shall be deemed sufficient to satisfy the Production in any Action of Improbation to be raised against such Writs, which have been burnt or lost in the Commissary Clerk's Office, without Prejudice to the Persons prosecuting such Action, to insist upon such Ground and Reasons, as were competent against the principal Writings themselves, or upon such Forgeries or Falshoods as may be committed on the said Extracts or Precepts, since they were given out of the Office.

IV. Sect.

IV. *Seff.* 4. The Lords of Council and Session in *Scot. land*, shall find the Production satisfy'd in any Action of Improbation to be rais'd by the Extract, to be deposited in the Commissary Clerk's Office of *Aberdeen*; and upon such other Evidence and Authority as they shall think sufficient to convince them, that the Principal of such Extract was a true Writ, and register'd in the said Office.

V. *Seff.* 5. The said Lords of Council and Session are impower'd to make up, or cause to be made up, the Tenor of such Writings, at any Time hereafter, upon such Evidence and Authority as they shall think sufficient to satisfy them, that such Writings were, before the Fire, recorded in the said Commissariat.

VI. *Seff.* 6. The Clerk of the Commissariat, or his Deputy, shall from 25 *March* 1722, and till 25 *March* 1723, affix constantly printed Copies of Notice to all Persons interested in Writings so burnt or lost, on the Market-Cross, and the most patent Door of his Office; and shall send printed Copies of such Notice to the Minister or Clerk of each Parochial Church within the Commissariat of *Aberdeen*, who are required, till 25 *March* 1723, to read, or cause to be read, such printed Notice in their Parochial Churches every Lord's Day, immediately after Divine Service; and the said Clerk or his Deputy, shall likewise publish an Advertisement in the *Edinburgh Courant*, or other News-Paper publish'd by Authority in *Edinburgh*, during the same Time.

VII. *Stat.* 9 G. c. 25. *Seff.* 1. The Time limited by the Act 8 G. c. 28. for bringing in, registering and recording the Extracts and Precepts which had been given out of the Commissary Court of *Aberdeen*, before the burning of the Records of that Court, in the Manner, and to the Effect thereby prescribed, shall be enlarged for the further Term of one Year, from 25 *March* 1723, to 25 *March* 1724; and the Commissary Clerk, or his Deputy, shall make out and deliver without Fee, new Extracts and Precepts in Lieu of such as shall be tender'd to him, to the Persons that shall bring in the same within the Time hereby limited.

VIII. *Seff.* 2. The Clerk of the Commissariat, or his Deputy, shall, after 1 *June* 1723, not only give Notice at such Places, and in such Manner, as is directed by the former Act; but shall also affix a Notice in Writing, signed by himself, or his Deputy, on the most patent Door of every Parish-Church, within the Bounds of the said Commissariat, on the first Lord's Day of each Month, within the Time hereby limited.

IX. *Seç. 3.* The Commissary Clerk, or his Deputy, shall deliver, in Presence of two lawful Witnesses, by 24 June 1723, to every Person against whom any Extract or Precept has been tender'd and recorded in Pursuance of the former Act, or who is principally concerned therein, a just Copy of such Extract or Precept, signed by the Clerk or his Deputy, with a Certificate, expressing the Time when, and the Person by whom the same had been tender'd; and in like Manner shall deliver in the Presence of two lawful Witnesses, a true Copy of every Extract or Precept brought in to be register'd in Pursuance of this Act, to such Persons as shall be principally interested therein, together with such Certificates as is before directed; and that within 14 Days after such Extract or Precept is tender'd to him, and the Executions or Returns of the Delivery of such Copies and Certificates shall be lodged in the Clerk's Office, and recorded in a particular Register to be kept for that Effect.

X. *Seç. 4.* If any Person interested in such Extract or Precept so recorded, be not principally concerned therein, or do not reside within the District of the Commissariat, the Commissary Clerk, or his Deputy, shall publish a List of the Names and Designations of such Persons, during the Space of three Weeks after 25 March 1724, in the *Edinburgh Courant*, or other News-Paper printed by Authority at *Edinburgh*.

XI. *Seç. 5.* If the Clerk of the Commissariat shall neglect to perform by himself or his Deputy, what is by the former or this Act directed to be done, or fail in the due Execution thereof, he shall forfeit his Office, and be for ever incapable of executing the same; and be also liable to the Damages, which his Neglect or Omission shall occasion to private Persons.

Bruntisland.

XII. *Stat. 6 G. c. 8.* An Act for laying a Duty of two Pennies Scots, or one Sixth Part of a Penny Sterling, upon every Scots Pint of Ale or Beer that shall be vended or sold within the Town of Bruntisland, and Liberties thereof, for increasing the publick Revenue of the said Town, and for other Purposes therein mentioned.

The Duty by this Act took Place from 24 June 1720, to continue for 25 Years, and to the End of the then next Session of Parliament. See the Statute at large.

Court of Session.

XIII. Stat. 10 G. c. 19. Sect. 1. When any Ordinary Place shall be vacant in the Court of Session, the King shall nominate thereto a Person qualified according to an Act made in Scotland, in the 6th Parliament of King James VI. intituled, *Anent the Admission of Ordinary Lords of the Session, &c.* and according to another Act made in Scotland, in the 12th Parliament of King James VI. intituled, *Anent the Jurisdiction, Presentation, Qualities, and Age of the Lords of Session*; and according to the Articles of Union: And the Qualifications of such Person so nominated, may be examined, and shall be try'd by the Ordinary Lords of the Court of Session only; and if the Person, on such Examination, be found duly qualify'd, according to the said Acts and Articles, then they shall forthwith admit him: But if the Lords of Session shall be of Opinion that there is just Ground to object to the Qualifications of the Person so nominated, in such Case they are required, with all convenient Speed, to transmit and certify the whole Matter to his Majesty, that the Royal Pleasure may be finally had thereon; and if his Majesty shall afterwards signify under the Sign Manual the Royal Will and Pleasure, that the Person so nominated shall be admitted into the Place, the Lords of Session are forthwith to admit him accordingly: But if his Majesty, after such Examination, shall see Cause sufficient not to admit him, it shall be lawful for his Majesty to nominate some other Person in Manner aforesaid, still subject to such Examination, and final Determination concerning the same, as is before enacted.

XIV. Sect. 2. Whenever the Places of the four present Extraordinary Lords of Session, or the Place of one of them shall become vacant, no Presentation or Nomination shall be made by his Majesty to supply such Vacancy: And if any such Presentation or Nomination shall at any Time hereafter be made, the same is hereby declared void.

Edinburgh.

XV. Stat. 9 G. c. 14. Sect. 1. The like Rates and Duties, as are by 3 G. c. 5. granted upon all Ale and Beer, brewed, brought in or sold, in the City of *Edinburgh*, Suburbs and Liberties thereof, shall, after the Commencement of the Term by that Act granted, be raised and made payable to the Provoost, Magistrates, and Council of the said City, and their

their Successors, for the Use of the said Town, on all Beer and Ale, brewed, brought in for Sale, or sold, within the Parishes of *St. Cuthbert, Cannon-Gate, South and North Leith*, for the Space of 19 Years by the said A& granted; and shall be levied by the same Means and Methods, and under such Rules and Forfeitures as are prescribed by the said A&. *Vide Vol. 5. Tit. Scotland, Par. XXIV.*

XVI. *Se& 2.* The like Rates after the Expiration of the Term by that A& granted, shall be further continued on all Ale and Beer sold in *Edinburgh, &c.* and in any of the said Parishes, for 19 Years more; and shall be levied, &c. under the same Rules and Forfeitures; and both the A& passed in *Scotland 13 June 1693*, and the A& 3 G. shall be of full Force, as if the same were particularly re-enacted in the Body of this present A&, except so far as is hereby alter'd.

XVII. *Se& 3.* What Money shall be payable by Virtue of this A&, and what shall arise by the Duty during both the said Terms of 38 Years, shall be applied and disbursed, and the same shall be stated and allowed by the Overseers after named, at one of their General Meetings; and the Magistrates and Council shall dispose of the same for the Purposes following, *viz.* For distributing the Water brought into the City; for supplying the *Cannon-Gate, South and North Leith* with Water; for finishing the Harbour of *Leith*; for cawseying with Free-stones the High Streets, Area's, Courts, or Squares, Lanes and By-Streets in the City, with the Highways leading to the same; for repairing the City-Walls; for building another of the new Churches directed by the former A& to be built; for the annual Payments for maintaining and employing the Poor; for Ministers Stipends; for Payment of the Deficiency of the Town-Revenues; for Payment of the Salary of the Professor of the Civil Law; and for paying 500*l.* Sterling annually for Relief of the poorer sort of the Inhabitants of the City, as ought to be taxed for maintaining the Guard of the City at or below 4 Pounds *Scots* each; which Sum of 500*l.* is to commence from 1 *July 1723*, and the first half Year's Moiety to be payable 1 *Jan.* thereafter: And likewise the Money shall be apply'd for narrowing the *North Lock* into a Canal of running Water, and making a Communication-Street or Way to the Grounds belonging to the City, on the North Side thereof; and for purchasing such Houses and Grounds, as the Magistrates and Council, with Approbation of the Overseers, shall judge proper for making the said Communication-Street; and likewise for purchasing a convenient Area for building the new Church; and for building a proper Hall, and other Conveniencies for the Court of Justiciary, and for keeping

keeping the Records; for Payment of 100*l.* yearly to a Professor of universal Civil History, *Greek* and *Roman* Antiquities in the University; and for Payment of 100*l.* yearly to a Professor of *Scots* Law, both to commence from 1 *July* 1723; and the Magistrates and Council are to establish and nominate the two first of the said Professors, who shall enjoy the said Salaries, and the same Privileges as the other Professors of the said University enjoy, and are entitled to.

XVIII. *Seet.* 4. So often as any Vacancies shall happen in the said Professions, the Faculty of Advocates shall present two Persons to the Magistrates and Council, who shall admit one of them to supply the Vacancy.

XIX. *Seet.* 5. The Professor of the Civil Law, and his Successors, shall have the same Powers and Privileges with the other Professors in the University; and when any Vacancy shall happen in that Office, it shall be supplied in the Manner before directed concerning the Professors of universal Civil History, &c. For Payment of 40*l.* 10*s.* annually to Ministers of *South Leith*, to be proportioned between them at the Sight of the Overseers, so as to make their Stipends equal; and for Payment of 33*l.* 6*s.* 8*d.* annually to the Treasurer of the *Cannon-Gate*; for Payment of an additional Stipend to their Ministers, to be proportion'd as above; both to commence from 15 *May* 1723, the first Payment to be due on 15 *Nov.* following; and for paying what other Salaries shall be found necessary by the Magistrates, &c. for Masters and Professors, to be instituted with the Consent of his Majesty, to teach other Liberal Arts in the University, and Exercises in the City; for Payment of 50*l.* yearly of additional Salary to the Professor of Divinity, to commence from 1 *July* 1723, and the first Money to be payable on 1 *Jan.* following; and for making Augmentation of Salaries to the Professors already established, and not sufficiently provided for; and for Payment of Interest of the whole Capital Debt due by the City, borrowed on the said Act of 3 *G.* or hath been inlitted among the Debts, or may be borrowed before 1 *July* next; and for defraying the Charges approved by the Overseers, for collecting and applying this Duty, and other incident Charges; and for paying off the said Capital Debt: And if more Money shall arise by the Imposition, the Overplus shall be laid out for carrying on the publick Works of the City, as shall be settled by the Magistrates, &c. at one of their four Meetings: But no Proposal made shall be approved, till there be another Meeting, and the same Proposals in such subsequent Meeting consider'd and approved of.

XX. *Señ. 6.* The Duty shall be raised in the same Manner as the Excise is now raised in the City; and the Charges made by the Excise-Officers, or an Abstract thereof under the Hand of the Accomptant for the *Edinburgh* Brewery, shall be the Rule for collecting the Duties hereby granted; and the Magistrates and Council are to make the several Allowances, Discounts, and Mitigations, which are now allow'd to the Brewers by the Commissioners of Excise, or their Officers: And the Commissioners of Excise are to appoint their Officers, or the said Accomptant, to give attested Copies of the Charge given up by the Officers of Excise upon the Brewers, without Fee; and the Charges so given up shall be the only Rule of charging the Brewers.

XXI. *Señ. 7.* Such of the Brewers only as shall reside within the City and Liberties, shall, on Account of the Premises, be subject to the Jurisdiction of the City: And such of the Brewers as shall live without the said City and Liberties, shall, after the Commencement of the Duty, be subject in all Suits concerning the Duty, to such Judges only, who, before the making this Act, were competent to determine in Suits against the Brewers; and the Forms of Proceeding in such Suits shall be in the same Manner as in the above mentioned Act of Parliament of Scotland is directed.

XXII. *Señ. 8.* The Magistrates are empower'd, out of the Money arising by the Duty, to make such Satisfaction to such of the Proprietors of the Parishes of *St. Cuthbert, Cannon-Gate, South and North Leith*, who shall sustain any Damages by Reason of subjecting the Ale and Beer brewed within their Properties to the Duty, as shall be awarded by the *Earl of Dalhousie, James Erskine of Grange, and David Erskine of Dun Esqrs; Sir John Clarke of Pennycook Bart. and George Dalrymple of Dalmahoy Esq;* or any three of them, by 1 July 1723.

XXIII. *Señ. 9.* All the Proprietors of the said Parishes, Brewers excepted, who have not yet enter'd into Bond of Arbitration with the Magistrates, may by writing under their Hands lawfully executed (Notice thereof being given to the Lord Provost of *Edinburgh*, or any of the Bailies, by 1 May next) refer their Claims to the said Arbitrators; and on so doing they shall receive Satisfaction for their Damages, as if they had been originally Parties in the said Bonds.

XXIV. *Señ. 10.* The Magistrates may, out of the Money arising by the Duty, pay to the Lord *Balmerenoch*, or other Persons interested, such Sums of Money for the Purchase of the Property of *Calton-Hill* and *Leith-Mills*, and the Superiority of the *Calton*, and of the Back of the *Cannon-Gate*, as shall be awarded by the said *James Erskine of Grange, and David*

David Erskine of Dun, so as the Award be made on or before
1 Aug. 1723.

XXV. *Señ.* 11. Provided, That the said Awards, in the several Cases, and in Pursuance of the Bonds of Arbitration, shall be approved of by the Overseers; and that the Sums so awarded shall only be a Charge on the Duties, in so far as they shall be approved of by the Overseers, at one of their General Meetings, and recorded in their Books.

XXVI. *Señ.* 12. The Bonds, and the Awards to follow upon them, shall be no Ways binding to the Magistrates and Council of *Edinburgh*, or any Parties Submitters therein, farther than they shall be approved of by the Overseers.

XXVII. *Señ.* 13. The said Magistrates and Council, with the Approbation of the Overseers, may agree for the absolute Purchase of all such Houses, Lands, &c. as they shall think most convenient for building a Place for keeping the publick Records, and for making a new Area for the Church hereby directed to be built, and to make a Communication-Street to the Fields, on the North Side of the City, and for building a proper Hall for the Court of Justiciary, and for the publick Offices, with the Owners thereof, and other Persons therein interested, being of full Age; and in Case of Infancy, with the Parents, Tutors or Curators, in Behalf of any such Infant; and in Case of Coverture, with the Husbands or Trustees of such Wife. And such Parents, Tutors, Husbands, &c. may convey such Houses, &c. to the Magistrates, &c. with the Approbation of the proper Judges, who are to give their Consent in a summary Manner; and such Contracts, Sales, &c. shall be good in Law.

XXVIII. *Señ.* 14. The said Magistrates, &c. may pay to the Persons impower'd to receive the same, and to make Conveyances of the said Houses, &c. the Sums agreed for, out of the Money arising by the Duty; and shall quietly hold the said Houses, &c. during the several Estates therein purchased, notwithstanding any Disability in the Owner.

XXIX. *Señ.* 15. The Parents, Tutors, &c. to whom the Purchase-Money is paid, are required, with the Approbation of the Lords of Session, to lay out all the Money arising by such Sale, in purchasing other Houses, &c. in Places most convenient, to be settled in the same Way, and under the same Restrictions, as the Estate sold was settled; and shall, till such purchase, lay out the same on good Security, and apply the Interest to such Uses, as the Rents of such Houses, &c. would, if purchased, belong.

XXX. *Señ.* 16. The Magistrates and Council shall not be chargeable with the Application or Misapplication of the said Money: it being hereby declared, That the Receipt or Acquittance

Acquittance of the Persons impower'd to receive the Purchase Money, shall be a sufficient Exoneration to them.

XXXI. *Señ. 17.* It shall not be in the Power of the Magistrates to farm the Duties; but the same shall be levied by such Persons as shall be appointed by the Magistrates, and shall be applied to the Purposes aforesaid, according to the Direction of this and the former Acts.

XXXII. *Señ. 18.* The Magistrates shall have the Administration of the Money; but are strictly prohibited from applying any Part thereof to any other Use, but such as are hereby directed.

XXXIII. *Señ. 19.* The Magistrates and Council shall proceed with all Diligence to the Execution of this Act; and particularly for building Repositories for the Records; and they shall advise with, and employ Men of the best Skill in such Matters; and their Advice shall be enter'd in a Book to be kept by the Magistrates for that Purpose.

XXXIV. *Señ. 20.* It shall not be lawful for the Magistrates to enter into any Contracts, before the Design and the Expence be laid before the Overseers at one of their publick Meetings, and the same be agreed to by the Majority of them present; and their Approbation shall, (together with all other their Proceedings) be enter'd in Books, to be kept for that Purpose.

XXXV. *Señ. 21.* The Magistrates shall, once in every Year, during the Winter-Season, lay before the Overseers a general Estimate of the Designs intended to be carry'd on for the ensuing Year; and if the same be approved of, they may proceed; but if disapproved of, they shall lay some other Design before the Overseers: And they shall also lay before the said Overseers, on the first lawful Day in *March* every Year, an Account of what hath been done for the preceding Year, and what Money hath been expended, to be approved of or disapproved of by them; and no Article in such Account shall be allowed of, but such as shall be approved of by the Majority of the Overseers.

XXXVI. *Señ. 22.* The Overseers shall meet at least four Times in the Year, *viz.* on the first Lawful Days in *August* and *March*, and the first *Tuesdays* in *June* and *November*, with Power to adjourn, and meet often, if they see Cause, and shall be so desired by the Magistrates of *Edinburgh*; and shall at each of the said Meetings peruse the Books and Accounts, which the Magistrates shall lay before them.

XXXVII. *Señ. 23.* The Accompt of the Duty, and the whole Management thereof, shall be fairly enter'd in Books for that Purpose, distinct from the other Affairs of the City,

City, with the Approbation of the Overseers; and the Magistrates are to appoint a proper Person to keep those Books; in which Books shall be enter'd Copies of the Charges deliver'd in by the Excise Officers, and the Amount thereof, and how disposed of; and the Accounts shall be balanced on the 3^d *Tuesday* in *February* yearly: All which Books, as well as the *Sederunt* Book of the Overseers, shall be kept at the ordinary Office to be appointed for that Purpose, and shall be open to the Perusal of the Burgesies of the City, or any of the Heretors or Proprietors in the Shires of *Edinburgh*, *Haddington* and *Linlithgow*, who shall have free Access at least one Day in every Fortnight, to inspect the Books, and to take any Notes therefrom without Fee; which Day shall be named by the Magistrates, by the Approbation of the Overseers, and publick Notice given thereof.

XXXVIII. *Señ. 24.* The Overseers named the second *Tuesday* of *June* last, shall continue so till the second *Tuesday* of *June* next; and on that Day annually the Overseers shall be chosen; who, with the Commissioners to Parliament from the Shires of *Edinburgh*, *Haddington*, *Linlithgow* and *Fife*, shall have the same Powers as in the last Act is mention'd.

XXXIX. *Señ. 25.* The Magistrates shall, on the third *Tuesday* in *July* 1761, make a perfect State of all the Money arisen by the Duty, and of the Sums laid out, and of the Debts then owing, that it may thereby appear, if there remains any Overplus; and if there be any, it shall be laid out with the Approbation of the Overseers.

XL. *Señ. 26.* The Liberty and Clause in the Act 3 G. giving Liberty to Persons not subjected to the Payment of this Duty, to import Beer and Ale into the City on Payment of the Duty, is hereby repealed; and after 1 *July* 1723, it shall not be lawful for any Brewer, or Seller of Beer or Ale, to import or sell any Beer or Ale into the City, Suburbs, or Liberties thereof, or into the Paroches of *St. Cuthbert's*, *Canon-Gate*, or *South* and *North Leith*, without previous Notice to the Magistrates, or to their Collector, and agreeing to be charged with the Duty; on Penalty of being liable to Payment of the said Duty, for all Ale and Beer brewed by any of them during the twelve Months preceding his Offence, in the same Manner as the Brewers by this Act subjected, are made liable for the Payment of the same.

XLI. *Señ. 27.* This Act shall not extend to prohibit the Importation of *English* or Foreign Ale or Beer into the said Parishes; but it shall be lawful to import the same on Payment of the Duty at present payable.

XLII. *Señ. 28.* Nor shall it extend to prevent any Person residing in the said City, or any other Place subjected to the

the Duty, who is not a Brewer or Seller of Ale or Beer, from Brewing or importing Ale or Beer for the Use of his Family only, without paying the Duty.

XLIII. *Seç.* 29. It shall be lawful for the Magistrates, after 1 *July* 1723, to borrow any Sum not exceeding 25,000 *l.* and for securing the Repayment thereof, they may assign over the Duty to the Lenders; which Money shall be so applied as the said Duty should have been.

XLIV. *Seç.* 30. The said Sum shall not be borrowed all at once, but at different Times, and not sooner than the Space of five Years next after 1 *July* 1723; and the same shall be borrowed at such Times, and in such Manner only, as the said Overseers shall see necessary: And it shall not be lawful for the Magistrates, to borrow at any Time after the said 1 *July*, so as to encrease the Capital Debts of the City, any Sums exceeding the said 25,000 *l.*

XLV. *Seç.* 31. The Money arising by the Duty, during the first 19 Years, shall be annually applied for Payment of the whole annual Payments hereby appointed, with the Interest of the City's Capital Debt, that shall be due on the said 1 *July*; and for extinguishing of 500 *l.* annually of the said Capital Debt; and the Overplus shall be applied for the Purposes before by this Act directed: And during the second Term of 19 Years, the Money arising shall be apply'd for paying the said annual Sums, with the Interest of the Remainder of the Capital Debt; and 2000 *l.* at least annually towards extinguishing the Remainder of that Debt, and the Overplus towards carrying on the whole publick Works; and the Persons and Estates of such Magistrates, who shall be necessary to the increasing the City-Debt to any greater Sum than what is hereby allowed, during the Space of 38 Years, after the said 1 *July*, shall be subject to the City, in Relief of such Sums as shall be borrow'd by them, more than what is hereby allow'd.

XLVI. *Seç.* 32. By the Provision for extinguishing the City's Capital Debt by the Sum of 500 *l.* annually, during the first Term of 19 Years, and by the Sum of 2000 *l.* at least annually, during the second Term of 19 Years, it is to be understood, that the Debts which shall be owing by the City on 1 *July* 1723, with the Principal Sum of 25,000 *l.* which they are hereby impower'd to borrow, shall be really lessened the Sum of 47,500 *l.* during the Currency of this Grant; and it shall not be in the Power of the Magistrates, with or without the Consent of the Overseers, to revive any new Borrowing, or any Debt, extinguished by the annual Payments hereby appointed to be made.

XLVII. *Seç.* 33. It shall be in the Power of any three of the Overseers, or of any six of the Burgeses of
Edinburgh,

Edinburgh, with Consent of any two of the Overseers, in Case of Embezzlement, Misapplication, Negligence, or other Misdemeanour, concerning any of the Premises, to commence and carry on a Suit, by Way of Summons, or by summary Petition, to which the Defendants shall appear and answer within eight Days at most after Citation; and if such Suit be against the Magistrates, a Citation served against the Lord Provost, or against two of the Baylies, shall be a sufficient Service against the whole Magistrates; and if the Plaintiff recovers in his Suit, or any material Branch thereof, the Defendant shall pay the whole Expences, which the Pursuer shall upon Oath declare he bestow'd, so far as the same does not exceed what is ordinarily laid out in the like Cases, in a Suit before that Court, which Expences shall be allow'd without any Abatement; and if the Defendant be acquitted, he shall receive his whole Expences.

XLVIII. *Señ. 34.* Any four Freeholders of the Shires of *Edinburgh*, *Haddington*, *Linlithgow* and *Fife*, in Case of any Imbezzlement or Misapplication, may sue the Magistrates, or others guilty, in the same Form, and under the same Provisions as is before directed; and that with or without the Consent of the Overseers.

XLIX. *Señ. 35.* This Act shall not subject any Ale or Beer brewed in the Precincts of *Holy-Rood-House*, and *Castle of Edinburgh*.

L. *Señ. 36.* No Sums or Debts contracted or borrowed in Pursuance of this Act, shall be a Charge on the Estates, personal or real, of the Burghesses or Inhabitants of *Edinburgh*; but the Debts contracted in Pursuance of this and the other Act, may be charged on the Property and Personal Estate belonging to the said City.

LI. *Señ. 37.* The Estate Personal or Real of any Magistrate or Councillor, convicted of any Malversation contrary to this Act, and those in part recited, shall be subject to refund such Damage, as shall be adjudged to be incurred by such Malversation, at the Suit of any of the Persons, who are hereby empower'd to sue the Magistrates.

LII. *Señ. 38.* The Petty-Port-Customs shall be discontinued, during the Continuance of this Act, and no longer.

LIII. *Señ. 39.* The annual Payments with which the Imposition is burden'd by this Act, shall continue till 1 July 1761, and no longer.

LIV. *Señ. 40.* This shall be deemed a publick Act, of which Notice shall be judicially taken by all Courts, in this Kingdom.

Elgine.

LV. Stat. 8 G. c. 7. An Act for laying a Duty of Two Pennies Scots, or one sixth Part of a Penny Sterling, upon every Scots Pint of Ale or Beer, that shall be brewed for Sale, vended or tapped within the Town of *Elgine*, and Privileges thereof, for paying the publick Debts of the said Town, and for other the Purposes therein mentioned.

The Duty granted by this Act took Place from 25 March 1722, to continue for 19 Years, and to the End of the then next Session of Parliament. See the Statute at large.

Forfeited Estates.

LVI. Stat. 6 G. c. 24. An Act for better explaining the Nature of Conveyances to be made to the Purchasers of the Forfeited Estates by the Commissioners and Trustees acting in *Scotland*; and for preventing Difficulties in determining Claims on the said Estates, &c. *Vide Tit. Treason and Traitors Estates, Par. 2.*

Highlands.

LVII. Stat. 6 G. c. 11. Sect. 42. Nothing in this Act shall invalidate a Provision made by 4 G. c. 8. for appropriating a Sum not exceeding 20,000 l. to be applied towards erecting and maintaining Schools in the Highlands of *Scotland*; nor alter the Manner appointed by that Act for raising the said Sum out of the Monies which shall arise by Sale of the Forfeited Estates in *Scotland*.

Fedburgh.

LVIII. Stat. 7 G. c. 25. An Act for laying a Duty of Two Pennies Scots, or one sixth Part of a Penny Sterling, upon every Pint of Ale or Beer, that shall be brewed for Sale, vended, or tapped within the Town of *Fedburgh*, and Privileges thereof, for paying the publick Debts of the said Town, and for supplying the same with Fresh Water, and for other Purposes therein mentioned. *The Duty by this Act took Place from 24 June 1721, to continue for 21 Years, and to the End of the then next Session of Parliament. See the Stat. at large.*

Linlithgow.

Linlithgow.

LIX. Stat. 9 G. c. 20. An Act for laying a Duty of Two Pennies Scots, or one sixth Part of a Penny Sterling, upon every Scots Pint of Ale and Beer brewed and sold within the Town of Linlithgow, and Liberties thereof, in the County of West-Lothian, for paying the Debts of the said Town, and other Purposes therein mentioned.

The Duty by this Act took Place from 1 July 1723, and is to continue for 21 Years, and to the End of the then next Session of Parliament. See the Statute at large.

Montrose.

LX. Stat. 6 G. c. 7. And Act for laying a Duty of Two Pennies Scots, or one sixth Part of a Penny Sterling, upon every Pint of Ale or Beer that shall be vended or sold within the Town of Montrose, and the Privileges thereof, for supplying the said Town with fresh Water, and for other Purposes therein mentioned.

The Duty imposed by this Act was to commence from 24 June 1720, and to continue for 25 Years, and to the End of the then next Session of Parliament. See the Statute at large.

Papists.

LXI. 9 G. c. 24. An Act to oblige all Persons being Papists in that Part of Great Britain called Scotland, and all Persons in Great Britain, refusing or neglecting to take the Oaths, appointed for the Security of his Majesty's Person and Government, by several Acts herein mentioned, to register their Names and real Estates. See Papists and Non-jurors.

LXII. Stat. 10 G. c. 4. An Act for explaining and amending an Act of the last Session of Parliament, intituled, *An Act to oblige Persons being Papists in that Part of Great Britain called Scotland, &c.* and for enlarging the Time for taking the said Oaths, and making Registers, &c. See Papists and Non-jurors.

Pittenweem.

LXIII. Stat. 6 G. c. 9. An Act for laying a Duty of Two Pennies Scots, or one sixth Part of a Penny Sterling, upon every Scots Pint of Beer and Ale that shall be vended or sold within the Town of *Pittenweem*, and Liberties thereof, for repairing the Harbour there, and for maintaining other public Works of the said Town.

The Duty by this Act commenced from 24 June 1720, to continue for 25 Years, and to the End of the then next Session of Parliament. See the Statute at large.

Serges. Pladings. Fingrums. Stockings.

LXIV. Stat. 6 G. c. 13. Sect. 1. After 1 Sept. 1720, every Piece of Plading, and narrow and broad Fingrums, made in *Scotland*, shall be of the several Breadths and Dimensions following, viz. Every Piece of Plading, and narrow Fingrums, shall be made of the same sort of Wool and Yarn, and of equal Work and Fineness from one End of the Piece to the other, and at least 28 Inches in Breadth; and every Piece of broad Fingrum shall be wrought of one intire Sort of Wool and Yarn, and at least 38 Inches in Breadth.

LXV. Sect. 2. All Stockings made in *Scotland*, shall be wrought of three Threads, and of one Sort of Wool and Worsted, and of equal Work and Fineness, free of left Loops, hanging Hairs, and of burnt, cutted or mended Holes, and of such Shapes and Sizes as the Patterns which shall be marked by the several Deans of Guild, of the chief Boroughs of the respective Counties, according to the Dimensions following, viz. The Stockings for Men, called Long Stockings, shall not be above 36, nor under 34 Inches in Length from the Top to the Heel; and not above 8, nor under 7 Inches in Breadth at the Top; nor above 7, nor under 6 Inches in Breadth at the broadest Place of the Calf; nor above five, nor under four and an Half Inches Breadth at the narrowest Place of the Ankle: The Stocking of 36 Inches in Length, to be 17 Inches betwixt the Top and the narrowest Part of the Ham, and 21 Inches in Length from the Top to the broadest Part of the Calf: Those of 34 Inches in Length, to be 15 Inches in Length from the Top to the narrowest Part of the Ham, and 19 Inches in Length from the Top to the broadest Place of the Calf: The Feet of both the two Sizes to be full 12 Inches in Length from the Heel

Heel to the Toe ; and from four and an Half to five Inches in Breadth. Stockings for Men, called Short Stockings, shall not be above 28, nor under 27 Inches in Length from the Top to the Heel, and not above seven, nor under six and an Half Inches in Breadth at the Top ; not above seven, nor under six Inches in Breadth at the broadest Place of the Ham ; not above five, nor under four and an Half Inches at the narrowest Place of the Ankle. The Stockings of 28 Inches in Length, to be 9 Inches from the Top to the narrowest Part of the Ham, and 13 Inches from the Top to the broadest Part of the Ham : Those of 27 Inches in Length, to be 8 Inches from the Top to the narrowest Part of the Ham, and 12 Inches from the Top to the broadest Part of the Ham ; the Feet of the two last mentioned Sizes to be fully 12 Inches in Length from the Heel to the Toe, and not above 5, nor under 4 Inches in Breadth. Stockings for Women or Boys, shall not be above 24, nor under 22 Inches in Length, from the Top to the Heel, and not above six and an Half, nor under six Inches in Breadth at the Top ; not above five and an Half, nor under five Inches in Breadth at the narrowest Place of the Ankle : The Stockings of 24 Inches in Length, to be 9 Inches from the Top to the narrowest Part of the Ham, and 12 Inches from the Top to the broadest Part of the Ham ; and those of 22 Inches in Length, to be 7 Inches from the Top to the narrowest Part of the Ham, and 10 Inches from the Top to the broadest Part of the Ham ; The Feet of such Womens and Boys Stockings to be fully 9 Inches long from the Heel to the Toe, and not above four, nor under three and an Half Inches in Breadth : Which Patterns shall lie open in the Custody of the several Stamp-Masters for all Persons to see.

LXVI. Sect. 3. The Magistrates of the chief Boroughs Royal of every Shire, County or Stewarty, are empower'd to cause Stamps to be made, bearing the Arms of the respective Boroughs, and to appoint fit Persons for inspecting and stamping all Serges, Pladings, Fingrums and Stockings, brought to be stamped, of the aforesaid Lengths, Breadths and Qualities; which Persons, before their Admission to the Office of Stamp-Master, shall be obliged to take an Oath *de fidei*, and find Surety for the faithful Administration of their Office, for such Sum as the Magistrates shall appoint. And the Justices of the Peace in their Counties and Stewarties, and in Default of them, the Commissioners of Supply, are hereby empower'd and ordained, at the Quarterly Sessions of the said Justices, or annual Meetings of the said Commissioners, to appoint Stamps to be made and kept at proper Places, where such Serges, &c. are sold, as they shall think proper: And no Stamp-Master shall for

himself or any other Person, trade in such Serges, &c. or stamp any such Serges, &c. which are not made of well sorted Yarn, equally wrought, &c. on Forfeiture of 20 s. for every Piece of such Serges, &c. and for every Dozen of Stockings, not made and wrought as aforesaid; and shall be made incapable of serving in any such Office for the future: And if any Person shall buy, export, or carry to the Water-side, in Order to be exported, any such Serges, &c. after 1 Dec. 1720, before the Stamp be fixed, the Offender, being thereof convicted, shall forfeit 20 s. *Sterling* for every Piece of such Serge, &c. and the like for every Dozen Pair of such Stockings; and if any Person shall affix, or counterfeit any Stamp, without the Authority aforesaid, he shall forfeit 5 l. *Sterling*, or six Months Imprisonment, if insolvent.

LXVII. *Seff. 4.* The Deans of Guilds shall be the sole Judges within their respective Boroughs, and the said Deans, together with the Heretors or Proprietors of publick Fairs or Markets, or any having their Authority, shall be jointly Judges of Offences against this Act; and in Default of the Dean, or of the Master of the Fair or Market, or their Deputy, either of the said Judges shall be the sole Judge of Offences committed in such Places, where the said Goods shall be vended or expos'd to Sale.

LXVIII. *Seff. 5.* All Serges, &c. already made, and which shall be hereafter made in *Scotland*, which are not of the said Sizes, and every of them which shall be so wrought before 1 Sept. 1720, may be vended or exported before 1 Dec. 1720, and shall not be liable to the Forfeitures in this Act.

LXIX. *Seff. 6.* If any Weaver or other Person shall, after 1 Sept. 1720, work, or cause to be wrought, any of the said Serges, &c. otherwise than according to the Regulations before mentioned, and be convicted by the Oath of two Witnesses, he shall forfeit 20 s. *Sterling*, and the Goods shall be confiscated to the Use of the Informer, and shall moreover pay the Value of such Goods to the Owner.

LXX. *Seff. 7.* The Owners shall pay to the Stamp-Master, before the Goods are marked, for every Piece of Serge, &c. 1 d. and for every Dozen of Stockings 2 d.

LXXI. *Seff. 8.* If any Offender shall, by the Space of ten Days after Conviction, refuse to pay the Forfeiture incurred by this Act, the Judges before whom such Conviction shall be made, shall issue one or more Warrants under their Hands and Seals to levy the same by Distress, returning the Overplus, if any, to the Offender; and if no Distress can be found, commit him to the House of Correction, or Gaol of the County or Corporation, for such Time as the said Judges

Judges shall direct, not exceeding three Months for any one Offence.

LXXII. *Señ.* 9. The Penalties shall be inflicted within sixty Days after the Offences committed or discover'd.

LXXIII. *Señ.* 10. If any Person find himself aggrieved by any Order or Warrant made by any of the Judges upon any Conviction before them, he may appeal to the next General Quarter-Sessions, giving sufficient Notice of such Appeal; and if the Justices shall think fit to confirm or disannul the said Order or Warrant, they shall allow such Costs and Charges to the Party grieved, as they shall think reasonable; to be levied as in other Cases of Appeal from the Orders of Justices of the Peace to the Quarter-Sessions.

LXXIV. *Stat.* 10 G. c. 18. *Señ.* 1. From and after 24 June 1724, every Piece of Rock-Serge made in Scotland, and white out of the Loom, shall be 36 Inches in Breadth at least within the List, and 63 Yards in Length; and every Half Piece shall be proportionable in Length to a whole Piece; and all such Pieces, and Half Pieces shall be taken up in Folds, or a soft Roll, and shall not be stretched by hard Rolling; and no white broomed or tarred Wool shall be wrought or mixed together, but each Piece shall be wrought up of the same Sort without any other Kind of Mixture; and shall be equally worked, and of the same Fineness from one End to the other: And every Piece of Rock and Wheel Serge shall be made of equal Goodness and Strength, and shall be a Scotch Ell in Breadth at least, and 43 Scotch Ells in Length: And every Piece of Serge commonly called the Strappings or narrow Sort, shall be three Quarters of a Scotch Ell in Breadth, and 42 Scotch Ells in Length; and every Half Piece of the last mentioned Serges shall be proportionable in Length to a whole Piece; and none of the said Serges shall be wrought of unscoured Yarn.

LXXV. *Señ.* 2. The Magistrates of the Chief or Head Boroughs Royal in every Shire or Stewartry in Scotland (who are declared the sole Judges within their Jurisdictions, of all the Penalties after mentioned,) shall make a Stamp bearing the Arms of each respective Borough, and shall appoint fit Persons to inspect and stamp all such Serges, which shall be brought to be stamped; which Persons, before they be admitted into the Office, shall take an Oath *de Fidei*, and give Security for the faithful Execution of their Office, in such Manner, and in such Penalty as the Magistrates shall appoint.

LXXVI. *Señ.* 3. If any Person appointed Stamp-Master shall, without lawful Excuse, to be allowed by two Justices

of the Peace, or the major Part of the Town-Council, refuse to execute that Office, he shall pay such Fine as the Justices, or the Town-Council shall set upon him, not exceeding 5 *l. Sterling*.

LXXVII. *Seß. 4.* The Justices of Peace in their Counties and Stewartries, or, in their Default, the Commissioners of Supply, shall, at their Quarter-Sessions to be holden by the Justices, or annual Meetings of the Commissioners, appoint Stamps to be made and kept at some proper Places where Serges are sold, within the respective Counties, as the said Justices or Commissioners shall think proper.

LXXVIII. *Seß. 5.* No Stamp-Master shall trade in any such Serges, which are not made of well-sorted Yarn, equally wrought, and of equal Fineness from one End to the other, and of the said Lengths, Breadths and Qualities, on Forfeiture, for every Piece of such Serge, of 20 *s. Sterling*, and shall be incapable of serving in such Office for the future: And if any Persons shall after 24 *June 1724*, affix any Stamps without Authority, or shall counterfeit the same, he shall forfeit 5 *l. Sterling*, or suffer six Months Imprisonment, if insolvent.

LXXIX. *Seß. 6.* All Weavers and Makers of Serges for Sale, shall carry the same to the Stamp-Office, to be inspected and sealed by the Stamp-Master, to whom they shall pay 1 *s.* of *Scotch Money*, for Sealing or Stamping each Piece, and Half Part thereof for any Half Piece, and no more; and if any Person shall sell and deliver, buy and receive, transport or export, or expose to Sale, any Serges without a Stamp so affixed, he shall forfeit 20 *s. Sterling*; and the Goods shall be confiscated, one Moiety to the Informer, and the other to the Use of the Stamp-Office, to be disposed of as the Magistrates shall direct.

LXXX. *Seß. 7.* If any Weaver or other Person shall work, or cause to be wrought, any Serges contrary to the said Regulations and Restrictions, and offer the same to be sealed, the Owners shall forfeit 20 *s. Sterling*, and the Serges shall be confiscated, and disposed of in such Manner, and to such Uses, as the Justices, or any two of them, or Magistrates shall direct; and the Weavers, or Manufacturers of such Serges, shall pay the Value thereof to the Owners, besides the 20 *s.* above directed to be paid as a Fine.

LXXXI. *Seß. 8.* The Deans of Guild shall be the sole Judges within the respective Boroughs, and the said Deans, with the Heretors or Proprietors of Fairs or Markets, shall be jointly Judges of the Offences against this Act; and in Default of the said Dean, or of the Master of the Fair or Market, or their Deputies, either of the said Judges shall be sole Judges of such Offence, in such Places, Fairs and
Markets

Markets, where the Serges shall be vended or exposed to Sale.

LXXXII. *Señ. 9.* All Weavers and other Makers of Serges for Sale, neglecting to make the said Serges according to the Regulations aforesaid, or refusing to bring the same to be stamped, and being convicted thereof by the Oaths of two Witnesses, or of the Person prosecuted, or refusing to pay the Penalties incurred, the Judge, before whom such Convictions shall be made, shall issue out his Warrant to the Constable or Officer of the Town or Place where the Offender inhabits, or can be found, within the Limits of their Jurisdictions, to levy the same by Distress and Sale of the Offender's Goods, returning the Overplus to the Offender; and if no Distress can be found, the Judge may commit the Offender to the House of Correction, or County-Gaol, for such Time as the Judge, before whom the Conviction was made, shall direct, not exceeding three Months for one Offence.

LXXXIII. *Señ. 10.* If any Merchant or other Person, in any County or Royal Borough, shall, before or at the Time of transporting any Serges, Pladings, or Fingrums, whether to Foreign Parts or Coastwise, cancel or alter the Number of Ells mark'd on each Piece, he shall forfeit $3\frac{1}{2}$ Sterling for each Piece; one Moiety to the Informer, the other to the Crown; to be recovered in the same Manner as the other Penalties inflicted by this Act, or the Act 6 G. are to be recover'd; or shall suffer three Months Imprisonment, if insolvent.

LXXXIV. *Señ. 11.* Nothing in this Act shall be construed to make any Alterations in the Lengths or Breadths of the Serges, commonly called Fingrum and Fingrum Wheeling Serges, manufactured in the Shires of *Aberdeen, Bamff, or Murray*; but the same shall remain as settled by former Laws.

LXXXV. *Señ. 12.* The Penalties and Forfeitures incurred for any Offence against this Act, shall be sued for, and prosecuted within sixty Days after the Offences shall be committed or discovered, and not afterwards.

Sugar-Houses.

LXXXVI. *Stat. 8 G. c. 4. Señ. 6.* After 25 March 1722, the Proprietors of the four Sugar-Houses in Scotland, called the Easter, Wester, and South Sugar-House of *Glasgow*, and the Sugar-House of *Leith*, shall be liable to pay for their Sugars, and other Commodities, the same Duties of

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of Customs and Excise, as any other of his Majesty's Subjects are liable to pay by the Acts now in Force.

LXXXVII. *Seç. 7.* All conditional Bonds, or other Securities, which on or before the said 25 *March* 1722, have been enter'd into by the said Proprietors, or either of them, for Payment or Security of any Duties of Custom or Excise, pretended to be due by them, as Proprietors of the said Sugar-Houses, for which they claim'd Exemptions from Custom and Excise, and for which such Bonds, &c. were given, are hereby declared void; And the Officer in whose Power or Custody such Bond or Security is, or shall be, is required to deliver up the same to be cancelled.

LXXXVIII. *Seç. 8.* The said Proprietors, their Executors, &c. are hereby discharged, released, and indemnify'd from the Payment of any Duty of Custom or Excise, due, or pretended to be due from them as Proprietors of the said Sugar-Houses, and for which they claim'd such Exemption before 25 *March* 1722.

Senna.

I. Stat. 6 G. c. 11. *Seç. 53.* *Thomas Vernon Esq;* having in *May* 1716, imported into the Port of *London*, on Board the Ship *Lambert* from *Alexandria*, four Bales of Senna, containing 3480 Pounds Weight, and having duly enter'd the same, and paid the Customs then due by Law, and actually sold the same on Board the said Ship, before Entry, and the same was deliver'd to the Buyers: Therefore enacted, That the said Senna shall not be chargeable with the Duties charged on Senna as a medicinal Drug, by the Act 1 G. c. 43.

Ships and Vessels.

I. Stat. 7 G. c. 21. *Seç. 14.* The Lord Warden of the *Cinque-Ports*, or his Deputy, with the Assent of the Commissioners of Load-Manage, and of the Masters and Wardens of the Society of Pilots of the *Trinity-House* of the *Cinque-Ports*, or the major Part of them, at a Court of Load Manage, to be held by the said Lord Warden or his Deputy, may, during the Continuance of 3 G. c. 13. For the better regulating of Pilots, &c. make such Rules and Orders for the better Government and Regulation of the Pilots residing at *Dover*, *Deal*, and the Isle of *Thanet*, as shall be thought convenient; and may order a sufficient Number of the respective Pilots, residing at *Dover*, &c. not less than 18, to ply constantly at Sea, to be ready to conduct such Ships up the Rivers

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Rivers of *Thames* and *Medway*, as shall have Occasion for them. And the Lord Warden, &c. at a Court of Load-Manage, may suspend or deprive any of the said Pilots for breaking the said Rules or Orders; and if any Pilot so suspended or deprived, during such Suspension or Deprivation, shall take upon himself to conduct any Ship, by or from *Dover*, *Deal*, or the Isle of *Thanet*, to any Place in or upon the said Rivers of *Thames* or *Medway*, he shall be liable to all such Pains and Penalties, as are provided by the said Act of 3 G. against such Persons as shall conduct Ships from and to the Places aforesaid, without being first examined and approved of by the Master and Wardens of the said Society at the said Court, and admitted into the Society.

II. Stat. 10 G. c. 17. Sect. 2. The Act 3 G. c. 13. For the better regulating of Pilots for the conducting of Ships and Vessels from *Dover*, *Deal*, and the Isle of *Thanet*, up the Rivers of *Thames* and *Medway*; and the Clause contained in 7 G. c. 21, being near expired, shall be farther continued from the Expiration thereof for eleven Years, and from thence to the End of the then next Session of Parliament.

Shoemakers.

I. Stat. 9 G. c. 27. Sect. 1. If any Journeyman Shoemaker, or other Person hired as such, within the Bills of Mortality, shall, after 24 June 1723, be accused by the Master employing him, of having fraudulently purloined, imbezilled, sold, pawn'd or exchanged any Boots, Shoes, Slippers, cut Leather, Lace, Lasts, or other Materials for making Boots, &c. not being the proper Goods of the Person accused; it shall be lawful for any Justice of the Peace for the said County, &c. where the Offence shall be committed, or where the Party accused shall reside, on Complaint on Oath, to summon the Party complain'd of, or to issue his Warrant to apprehend and bring before him the Person accused; and on his Appearance or Default to appear, to proceed to examine the Fact with which he is charged; and on due Proof, either by Confession of the Party accused, or on the Oath of one or more credible Persons, to determine the same, and convict the Offender; and on such Conviction, immediately to award to the Party injured, reasonable Satisfaction for his Damage, Loss and Charges; and upon the neglecting or refusing immediately to pay the same, to levy the same by Warrant on the Offender's Goods, rendering the Overplus to the Owner; and for Want of sufficient Distress, to cause the Offender to be whipt

whipt in the Parish or Place where the Offence shall be committed; and in Case of Conviction for any second or other Offence, to commit the Offender to the House of Correction, to hard Labour, for any Time not exceeding one Month, nor less than 14 Days.

II. *Seft.* 2. Every Person who shall buy, receive, or take in Pawn, from any Journeyman Shoemaker, or other Person hired as such, or from any other Person whatsoever, any Boots, Shoes, &c. or Materials for making them, not being the proper Goods of him that sells or pawns, or offers to sell or pawn them, shall for every Offence, (being lawfully convicted thereof in Manner aforesaid) make such reasonable Recompence within two Days after the Fact shall be determined, as shall be awarded; or else be subject to such Distress, and for Want of sufficient Distress shall be liable to the like Punishment, as is hereby inflicted on Journeymen so purloining, &c.

III. *Seft.* 3. It shall be lawful for any two Justices, dwelling within the Bills of Mortality, on Complaint upon Oath, to issue their Warrant for searching in the Day-time the House of any Person, as they shall suspect to have received, bought or taken to Pawn, any such Goods so fraudulently imbezilled; and on Refusal, to break open any such House: Every Person opposing such Search, shall, for every Offence, forfeit 10 *l.* to any Person who shall inform and sue for the same within two Kalendar Months, in the Courts at *Westminster*, by Action of Debt, &c. And if it shall appear by the Oath of one or more Witnesses, or on Search of such House, that such Person hath in his Custody any such Goods, the Justices shall cause them to be restored to the Owner, and oblige the Party Offending to make Satisfaction to such Owner, for the Damage in detaining the Goods, and Charges in getting the same; and the Party refusing so to do, shall be subject to the like Punishment, as is hereby provided to be inflicted on such Journeymen, &c. so fraudulently imbezilling, &c.

IV. *Seft.* 4. Every Person retained or employ'd in the making up of any Boots, Shoes, &c. for any one Master, and who shall neglect the Performance thereof, by suffering himself to be retain'd or employ'd by any other Master before he shall have compleated the same, and finished the Work first deliver'd to him; such Offender, on Conviction on Oath before one or more Justices, shall be sent to the House of Correction, to be kept to hard Labour for any Time not exceeding one Month.

V. *Seft.* 5. Persons aggrieved by any Order made by such Justices, may appeal to the next Quarter-Sessions, to be holden for the County, &c. where such Order shall be made, giving

giving eight Days Notice of such Appeal; and the Justices in Quarter-Sessions shall hear the Matter, and have Power to make Satisfaction to either Party, and their Determination therein shall be final.

Silk.

L. Stat. 8 G. c. 15. Sect. 1. The several Allowances following shall be paid to any Person, who within 3 Years from 25 March 1722, or before the End of the then next Session of Parliament, shall export out of this Kingdom by Way of Merchandize, any of the Goods or Commodities of the Manufacture of *Great Britain*, herein after specify'd, *viz.*

For all Ribbons and Stuffs of Silk only, 3 s. per lb. *Averdupois.*

For all Silks and Ribbons of Silk mixed with Gold or Silver, 4 s. per lb.

For all Silk Stockings, Silk Gloves, Silk Fringes, Silk Laces, Stitching or Sewing Silk, 1 s. per lb.

For all Stuffs of Silk and Grogram Yarns, 8 d. per lb.

For all Stuffs of Silk mixed with Inkle or Cotton, 1 s. per lb.

For all Stuffs of Silk and Worsted, 6 d. per lb.

Which Allowances shall be paid by the Customer, or Collector of the Customs, with the Privy of the Controller of the Port from whence exported, on a Debenture to be made forth by the Customer or Collector, according to the Entry of the Goods, and the Shipping thereof verified by the Searchers, and Oath made by the Exporter on the Entry or Debenture, before the Customer, or Collector, or Controller, That the Goods are of *British* Manufacture, and exported, or intended to be exported to Parts beyond the Sea, and not relanded, or intended to be relanded in any Part of *Great Britain*; the Exporter, with one or more Persons, first giving sufficient Security to the Customer or Collector of the Port, in a Penalty of double the Value of the Goods, (which Security they are to take in the King's Name, and to his Use) that the Silks, &c. shall not be relanded in any Part of *Great Britain*. And such Securities shall be discharged in manner following, *viz.* For such of the said Goods as shall be enter'd for *Ireland*, or the Islands of *Guernsey*, *Fersey*, *Alderney*, *Sark* or *Man*, the Condition of the Bond shall be to bring a Certificate in Discharge thereof within six Months from the Date of the Bond; and within eighteen Months for such Goods as shall be enter'd for the Plantations in *America*. Which Certificates, for such Silks, &c. as be landed in any Port where an Officer of the Customs shall be resident, shall be

be sign'd by the proper Officer there, testifying the Landing of such Goods; and for such Silks, &c. as shall be enter'd for the Islands of *Fersey*, &c. shall be signed by the proper Officer of the Customs, or by the Governor, or Deputy Governor of those Islands respectively; and for such Silks, &c. as shall be enter'd for any other Foreign Port, to bring a Certificate under the Common Seal of the Chief Magistrate in such Port, or under the Hands and Seals of two known *British* Merchants then being at such Port, that such Silks, &c. were there landed; or such Bonds shall be discharged upon Proof that such Goods were taken by the Enemies, or perish'd in the Seas; the Examination and Proof thereof being left to the Judgment of the Commissioners of the Customs in *England* or *Scotland*.

II. *Seff.* 2. For preventing Frauds in the entring any of the said Goods under a wrong Denomination, it shall be lawful for any Searcher, or other proper Officer of the Customs, after Entry of such Goods, and before or after the Shipping thereof, to open and examine any Bale, Chest, or other Package, as now by Law they may do, to see if the Goods are right enter'd; and if they shall be found so to be, the Officer shall, at his own Charge, cause them to be repacked to the Satisfaction of the Exporter; which Charge shall be allowed to the Officer by the Commissioners of the Customs, if they think it reasonable: But if the Officer shall find the said Goods, or any Part thereof, to have been enter'd under a wrong Denomination, whereby his Majesty would have been defrauded in the Allowance to be paid on the Exportation thereof, all such Goods, so wrong enter'd, shall be seized, and the same, as likewise the Value thereof shall be forfeited; and may be prosecuted and divided as hereafter mention'd.

III. *Seff.* 3. The said Allowances shall not be made for such of the said Manufactures mixed with Gold or Silver, when they are so mixed only at the Edges, or Ends of the Piece: And if any Dispute shall arise whether the Manufactures were made in *Great Britain*, the *Onus probandi* shall lie on the Exporter, Owner, or Claimer thereof, and not on the Officer.

IV. *Seff.* 4. If any of the said Silk, &c. shipped to be exported, for which Allowance is hereby made, shall be re-landed or unshipped, in any Port or Place in *Great Britain*, without the Licence of one or more of the Principal Officers of such Port; or unless in Case of Distress to save the Goods from perishing, the Goods, (besides the Penalty of the Bond) and treble the Value thereof, shall be forfeited.

V. *Seff.* 5. The said Allowances shall be paid by the Customer or Collector, out of any Money in his Hands arising from

from Customs upon Goods imported; and the Money so paid shall be accepted of in his Account, as so much paid to his Majesty.

VI. *Seff.* 6. If any of the Customs now payable on the Importation of Foreign Thrown or Raw Silk, shall, during this Act, be redeemed, or otherwise cease, so much of the Allowances to be made on the Exportation of the Silks, &c. before mentioned, shall be abated, as shall bear a Proportion to the Customs so redeemed, or that shall cease to be payable on the Importation of Thrown or Raw Silk.

VII. *Seff.* 21. The Penalties in this Act shall be prosecuted, &c. by Bill, &c. in any Court at *Westminster*, or in the Exchequer at *Edinburgh*, and one Moiety thereof shall be to the Crown, the other to the Prosecutor.

VIII. *Seff.* 22. If any Action be brought for any Thing done in Pursuance of this Act, the Defendant may plead the General Issue, &c. and recover treble Costs.

IX. *Stat.* 9 G. c. 8. *Seff.* 9. The Act 8 G. c. 15. For *Encouragement of the Silk Manufactures*, &c. shall not extend to the making any Allowance on the Exportation of any Manufactures mentioned in that Act, mixt with Silk, except such wherein at least two third Parts of the Ends or Threads of the Warp, (by which is meant the Length of the Piece) be either all Silk, or mixed or twisted with Silk in the Warp.

X. *Seff.* 10. If any Person shall be found to enter or ship any of the said Goods, which are not mixed with the Quantity of Silk before mentioned, he shall not only forfeit the Goods so entred or shipped, but shall likewise be prosecuted for double the Value thereof; such Seizure and Penalty to be prosecuted, determined and divided, as other Seizures and Penalties are by the said Act directed.

Soldiers.

I. *Stat.* 6 G. c. 3. An Act for punishing Mutiny and Desertion, and for the better Payment of the Army, and their Quarters. Exp.

This Act was to continue in Force from 24 *March* 1719. till 25 *March* 1721. and is in every Clause like the former Acts of the same Title pass'd in the Reign of this King; which See in Vol. V. *sub eodem Titulo*.

II. *Stat.* 7 G. c. 6. The like Act for punishing Mutiny, &c. and to continue in Force, from 24 *March* 1720, till 25 *March* 1722.

III. Stat. 8 G. c. 3. The like Act for punishing Mutiny, &c. and to be in Force from 24 March 1721, till 25 March 1723.

IV. Stat. 9 G. c. 4. The like Act, and to continue in Force from 24 March 1722, till 25 March 1724.

V. Stat. 10 G. c. 3. The like Act: To continue in Force from 24 March 1723, till 25 March 1725.

South-Sea Company.

I. Stat. 6 G. c. 4. The Preamble to this Act recites 4 W. & M. c. 3, whereby certain Rates and Duties of Excise upon Beer, Ale, and other Liquors, were granted to the Crown for 99 Years, which commenced from 25 Jan. 1692, and by Virtue of the same, and divers subsequent Acts, the said Duties of Excise now stand charged with several Annuities amounting to 124,409 l. 1 s. 9 d. *per Annum*; Part of which Annuities were purchased on a Term of 96 Years, which commenced from 25 Jan. 1695, and another Part thereof upon a Term of 89 Years, which commenced from 25 Jan. 1702, and during the Remainders of the said Terms are payable to the respective Proprietors thereof, some of whose Estates and Interests therein are in Possession, and others to take Effect in Reversion; and the said Duties of Excise originally granted for 99 Years, have been made perpetual by several Acts since made. The Act 5 W. & M. c. 20. whereby several Rates upon Tonnage of Ships were laid for 4 Years, commencing from 1 June 1694; and several additional Duties of Excise upon Beer, &c. commencing from 7 May 1697, were granted to the Crown, and by Virtue of that and divers subsequent Acts, the said Duties upon Tonnage and of Excise, or two seventh Parts of the said additional Excise, do now stand charged with several Annuities, amounting to 15,236 l. 12 s. *per Annum*; Part of which Annuities were purchased upon a Term of 96 Years, which commenced from 25 Jan. 1695, and another Part thereof upon the Term of 89 Years, which commenced from 25 Jan. 1702; and during the Remainders of those Terms are payable to the respective Proprietors thereof, some of whose Estates therein are in Possession, and others to take Effect in Reversion: The Act 12 W. 3. c. 12, whereby it is enacted, That from 25 Dec. 1700, for five Years next ensuing, the weekly Sum of 3700 l. out of the Hereditary and other Duties of Excise, should be paid into the Exchequer for the Purposes

posés in that Act. And 1 *A. c. 7.* whereby the Duties of Excise thereby granted during her Majesty's Life, together with the said hereditary Duties, were subjected to the said weekly Payment during the said 5 Years, and after the Expiration thereof, so much Money, as together with certain Payments after the Rate of 3 *l. per Cent. per Annum*, should make up a Sum of 3700 *l.* for every Week during her Majesty's Life, was thereby appointed to be taken out of the said Hereditary and other Duties of Excise; and the said Payments of 3 *l. per Cent. per Annum* being deducted out of the Hereditary Part thereof, the Residue of the said 3700 *l. per Week*, was directed to be applied for the publick Service. And the Act 2 *A. c. 3.* which Enacted, That from 25 Dec. 1705, the said weekly Sum should be for ever paid into the Exchequer; and by Virtue of the same, and divers subsequent Acts, the said weekly Payments stand charged (among other Things) with several Annuities amounting to 104,745 *l. 10 s. 6 d. 2 q. per Annum*, (above 1200 *l. per Annum*, for Charges of paying the said Annuities) purchased for 99 Years, from 25 March 1704, and during the Remainder of that Term payable to the Proprietors thereof: And the Act 3 *A. c. 2.* whereby several Annuities, amounting to 46,000 *l. per Annum*, were purchased for 99 Years from 25 Dec. 1705, at 15 Years Purchase, and during the Remainder of that Term are payable to the Proprietors out of the said weekly Payment: And the Act 4 *A. c. 6.* whereby several Annuities amounting to 184,242 *l. 14 s. per Annum* were purchased for 99 Years from 25 March 1706, at 15 Years and a Half's Purchase; and during the Remainder of that Term are payable to the Proprietors thereof, out of the Monies arising for the Subsidies of Tonnage and Poundage, and for the Duties on Coals, Culm and Cynders, and the said Duties of Excise: And the said additional Subsidy of Tonnage and Poundage (called the One Third Subsidy) and the said additional Duties of Excise, have by several Acts been made perpetual. And the Act 5 *A. c. 19.* whereby several Annuities amounting to 72,187 *l. 10 s. per Annum*, were purchased for 99 Years, from 25 March 1707, at 16 Years Purchase, and during the Remainder of that Term, are payable to the Proprietors out of the Monies arising by the Duties upon Low Wines and Spirits of the first Extraction, and the Duties payable by Hawkers, Pedlars, and Petty Chapmen, and upon Sweets, Stamp Vellom, &c. and an additional Subsidy thereby granted, and out of the Overplus Monies of the other Annuity-Funds, and other Monies by the said Act chargeable with the Payment thereof; all which said Duties on Low Wines, &c. Hawkers, &c. Stamp Vellom, &c. and on Sweets, have, by Acts since made, been continued

and made Perpetual: And the Act 6 A. c. 5, whereby several Annuities, amounting to 40,000*l. per Annum*, were purchased for 99 Years from 25 March 1708, at 16 Years Purchase; and during the Remainder of that Term, are payable to the Proprietors out of a yearly Fund of 40,000*l. per Annum*, by that Act charged upon Overplus Monies, and further Grants of several Duties therein mentioned. And the Act 6 A. c. 11, whereby several Annuities, amounting to 80,000*l. per Annum*, were purchased for 99 Years from 24 June 1708, at 16 Years Purchase, and during the Remainder of that Term are payable to the Proprietors out of the Monies arising for the Half Subsidy of Tunnage and Poundage, and other Duties thereby granted; and the said Half Subsidy, &c. hath since been made perpetual: All which Annuities of 96, 89 and 99 Years, amount in the whole to 666,821*l. 8 s. 3 d. 2 q. per Annum*, or thereabouts. And whereas by 8 A. c. 7, several Annuities amounting to 81,000*l. per Annum*, were purchased for 32 Years from 29 Sept. 1710, at 9*l. per Cent.* for every 100*l.* and during the Remainder of that Term are payable to the Proprietors, out of a yearly Fund by that Act charged upon new Duties of Excise, and new Duties upon Pepper, Raisins, Nutmegs, Cinnamon, Cloves, Mace and Snuffs, and other Provisions thereby made. And whereas by 8 A. c. 4, certain additional Duties were imposed on Coals, Culm and Cynders, and on Dwelling-Houses, for 32 Years from 29 Sept. 1710; and a yearly Fund of 135,000*l.* was thereby established for Payment of such Lottery-Annuities as should be founded upon that Act. And pursuant to 5 G. c. 19, the yearly Sum of 87,342*l. 4 s. 5 d.* (Part of the said yearly Fund of 135,000*l.*) has already been purchased by the South-Sea Company, and together with 1,397*l. 9 s. 6 d. per Annum* more, for Charges of Management, is already added to the yearly Fund of the same Corporation; and the yearly Sum of 46,260*l. 6 s. 1 d.* (the Residue of the said yearly Fund of 135,000*l.*) is, during the Remainder of the last mention'd 32 Years, payable in several Lottery-Annuities, and upon Pay-Tickets for the same, not subscribed on the said Act of 5 G. which yearly Sums so payable during the Remainders of the said several Terms of 32 Years, amount to 127,260*l. 6 s. 1 d. per Annum*, or thereabouts. And whereas several Principal Sums amounting in the whole to 16,546,482*l. 7 s. 1 d. 1 q.* or thereabouts, are secured by several Acts, for which Interest or Annuities at several Rates are payable at the publick Charge, till Satisfaction of the said Principal Sums, or Redemption of the Funds charged with the Payment of such Interest or Annuities; that is to say 563,300*l.* doth on 19 March 1719, remain unsatisfy'd, to compleat the Sum
of

of 633,010 *l.* Principal Money, which by Virtue of the late Queen's Letters Patents, bearing Date 13 Oct. 1713, grounded upon 11 *A. c.* 11, was charged with Interest at 4 *l. per Cent. per Annum* upon a yearly Fund of 35,000 *l.* payable for 32 Years, from Michaelmas 1713, out of the Revenues in the same Patents mentioned; which yearly Fund is redeemable upon paying off all Principal and Interest charged thereupon; the Sum of 1,055,990 *l.* doth, on 22 March 1719, remain unsatisfied to compleat the Sum of 1,157,360 *l.* which, in Respect only of the Blank-Tickets drawn in the Lottery for raising 1,400,000 *l.* for the Service of the Year 1714, was charged with Interest at 5 *l. per Cent. per Annum*, upon the yearly Fund of 116,573 *l.* 12 *s.* payable out of certain Duties on Sope, Paper, Linens, Silks, Callicoos, Stuffs, Starch, exported Coals, and upon Stamp Vellum, &c. granted for 32 Years from 2 Aug. 1714, by two Acts, viz. 12 *A. c.* 9. and 1 *G. c.* 2, and the Sum of 652,020 *l.* doth on 22 March 1719, remain unsatisfy'd to compleat the Sum of 719,040 *l.* which in respect only of the Prize-Tickets drawn in the last mention'd Lottery, was charged upon the said yearly Fund of 116,573 *l.* 12 *s.* with Interest at 4 *l. per Cent. per Annum*; which last yearly Fund, is also redeemable upon paying off the Principal and Interest. And several Sums amounting to 1,079,000 *l.* Principal Monies, were advanced for the Use of the Publick, pursuant to two Acts pass'd in 1 *G.* one for raising 910,000 *l.* upon a Fund of 45,500 *l. per Annum*, and the other for raising 169,000 *l.* upon a Fund of 8,450 *l. per Annum*, charged upon the aggregate Fund, and other Provisions therein mentioned; for which Sums so amounting to 1,079,000 *l.* the Contributors, and Claimants under them, are entitled to several Annuities, at the Rate of 5 *l. per Cent. per Annum*, payable by the Cashier of the Bank; and the same Annuities amount to 53,950 *l. per Annum*, (above 650 *l. per Annum*, for Charges of Management) but subject to Redemption on one Year's Notice, and Repayment by Parliament of the Principal Sums, and all Arrears of the same Annuities. And in Pursuance of 3 *G. c.* 7. several Annuities, at 5 *l. per Cent. per Annum*, amounting to 476,717 *l.* 17 *s.* 8 *d. per Annum*, or thereabouts, are payable by the Cashier of the Bank, for several Principal Sums which remained due on the said four Lottery-Acts, and for one Moiety of the Debt due to certain Bankers and others, and for Interest made Principal, pursuant to the last mentioned Act, amounting in the whole to 9,534,357 *l.* 13 *s.* 11 *d.* 3 *q.* viz. on the Act for the 10 *l.* Lottery 1711, 1,672,821 *l.* 10 *s.* on the Act for the Class-Lottery of the same Year, 2,563,768 *l.* 4 *s.* and on the Act for the 10 *l.* Lottery 1712, 2,292,367 *l.* 7 *s.* and on the Act for the Class-Lottery for the same Year, 2,346,745 *l.* 19 *s.* 6 *d.*

And for the said Moiety of the Debt due to the Bankers and others, 658,654 *l.* 13 *s.* 5 *d.* 3 *q.* And in Pursuance of the said Act of 3 G. several Annuities after the Rate of 4 *l.* *per Cent. per Annum*, amounting to 102,036 *l.* 13 *s.* 2 *d.* *per Ann.* or thereabouts, are payable by the Cashire of the Bank, for several Principal Sums, amounting to 2,550,916 *l.* 8 *s.* 8 *d.* 2 *q.* or thereabouts, that is to say, 2672 *l.* 10 *s.* *per Annum*, for Monies contributed by Tallies of *Sol.* to satisfy Principal and Interest, amounting to 66,812 *l.* 9 *s.* 2 *d.* which remained unsatisfied on the Register of Loans founded on the Act for the Duty on Low Wines, &c. which expired 24 June 1714; 13,871 *l.* 14 *s.* 8 *d.* *per Annum*, for Monies contributed by Tallies of *Sol.* to satisfy Principal and Interest, amounting to 346,793 *l.* 7 *s.* 10 *d.* which remained unsatisfy'd on the Register of Loans founded on the Act for the Duty on Candles, which expired 1 May 1715; 20,365 *l.* 1 *s.* 10 *d.* *per Annum*, for Monies contributed by Tallies of *Sol.* to satisfy a Deficiency amounting to 509,127 *l.* 5 *s.* 6 *d.* to make good his Majesty's Supply for the Year 1716; 967 *l.* 16 *s.* 9 *d.* *per Annum*, for Monies contributed by Tallies of *Sol.* to satisfy several Bills of Exchange, amounting to 24,195 *l.* 18 *s.* 1 *d.* drawn for the Service of the Expedition to Canada; 64,159 *l.* 9 *s.* 11 *d.* *per Annum*, for Principal Sums, amounting to 1,603,987 *l.* 8 *s.* 1 *d.* 2 *q.* contain'd in Army-Debentures, certify'd by 21 March 1719, pursuant to Acts in that Behalf: All which Annuities computed at 5 *l.* *per Cent. per Annum*, and at 4 *l.* *per Cent. per Annum*, in Pursuance of the said Act 3 G. are payable out of a certain yearly Fund of 724,849 *l.* 6 *s.* 10 *d.* and one Fifth of a Penny *per Ann.* called the General Fund. And in Pursuance of a Clause in the Land-Tax Act 5 G. one or more Annuities, amounting to 5515 *l.* 12 *s.* *per Annum*, after the Rate of 5 *l.* *per Cent.* were made payable by the Cashier of the Bank, out of the said General Fund, to the Treasurer of the Navy, to make good a Deficiency of 110,312 *l.* 17 *s.* 4 *d.* which Annuities are also charged on the said General Fund, and payable at the Bank, till Redemption by Parliament: And in Pursuance of 5 G. c. 24. (a private Act) For Relief of Edward Clent Esq; for an Army-Debenture lost in the Pay-Office, an Annuity amounting to 23 *l.* 8 *s.* 3 *d.* 1 *q.* *per Annum*, after the Rate of 4 *l.* *per Cent.* became payable by the said Cashier of the Bank, out of the said General Fund, for the Principal Sum of 585 *l.* 7 *s.* 1 *d.* stated due on the said lost Debenture, and was made payable till Redemption. And in Pursuance of 5 G. c. 3. several Annuities amounting to the yearly Sum of 20,000 *l.* at 4 *l.* *per Cent. per Annum*, for Principal Sums amounting to 500,000 *l.* contributed to a Lottery founded on that Act, are payable by the Cashier of the Bank, out of a yearly Fund

Fund of 20,000*l.* thereby charged on the Duties denominated the Aggregate Fund, but subject to Redemption, &c. And in Pursuance of 5 G. c. 9. the Sum of 500,000*l.* was raised by a Lottery; which together with Interest at 4*l.* per Cent. per Annum, till Redemption of the Principal, is thereby secured to be paid at the Exchequer, out of a yearly Fund of 30,559*l.* 14*s.* thereby settled for 32 Years, from 25 March 1719, and charged upon certain Duties on Coals and Culm. So that all the Principal Sums for which Interest is payable out of the said Redeemable Funds carrying Interest at 5*l.* per Cent. amount to 1,055,990*l.* And the Principal Sums, for which Interest is payable out of the said Redeemable Funds, carrying Interest at 4*l.* per Cent. amount to 1,715,320*l.* And the Principal Sums for which the said Annuities are payable out of the Redeemable Funds at 5*l.* per Annum, for every 100*l.* amount to 10,723,670*l.* 11*s.* 3*d.* 3*q.* And the Annuities payable for the same at the Rate last mentioned, amount to 536,183*l.* 10*s.* 6*d.* 3*q.* per Annum, till Redemption thereof. And the Principal Sums for which the said Annuities are payable out of the Redeemable Funds, at 4*l.* per Annum, for every 100*l.* amount to 3,051,501*l.* 15*s.* 9*d.* 2*q.* And the Annuities payable for the same at 4*l.* per Cent. per Annum, amount to 122,060*l.* 1*s.* 5*d.* per Annum, till Redemption thereof. And whereas the South-Sea Company is willing, before 1 March 1721, to take in, either by Purchase or Subscription, all or any of the said Annuities, payable during the respective Remainders of the said Terms of 96, 89 and 99 Years, (computed, as above, to amount in the Whole to 666,821*l.* 8*s.* 3*d.* 2*q.*) without any Compulsion on any of the Proprietors, at such Prices as shall be agreed on with the said Proprietors; provided, that for such Annuities so taken in they may have, in Lieu thereof, an Addition to their Capital Stock, after the Rate of 20 Years Purchase; and such respective Additions (in respect thereof) to their present Annuity, secured to be paid for such Time, and out of such Duties, as are herein after appointed, till Redemption thereof. And the Company are also willing, before the said 1 March 1721, to take in, either by Purchase or Subscriptions, the abovemention'd Lottery-Annuities, computed to amount to 46,260*l.* 6*s.* 1*d.* per Annum, for 23 Years from Michaelmas 1719, and the Pay-Tickets for the same, at Prices to be agreed on between the Company and the Proprietors; provided that for every such Lottery-Annuity, they may have an Addition made to their Capital Stock, after the Rate of 14 Years Purchase: And they are also willing before the said 1 March 1721, to take in, in like Manner, all or any the abovemention'd Annuities,

(computed to amount to 81,000 *l. per Annum*) for the Term of 22 Years and 3 Quarters of a Year, from *Christmas* 1719; provided that for every such Annuity so taken in, they may have an Addition to their Capital Stock of 14 Years Purchase, &c. And they are likewise willing, before 1 *March* 1721, to take in all and every the Redeemable Debts and Annuities (above computed to amount to 16,546,482 *l. 7s. 1d. 1q.*) either by Purchase, taking Subscriptions, or paying them off; provided they may have an Addition of 100*l.* to their present Capital for every 100*l.* so taken in, and so proportionably; and so as such Additions be made to their Present Annuity, as shall be equal to the Rates now payable for the Principal Sums of those Redeemable Debts and Annuities so to be taken in, till the Redemption thereof. And the Company, for the Liberty of increasing their Capital Stock, and their Annuity, by the Means aforesaid, have desired and consented, That their Annuities for their present Capital Stock, and their Annuities for their Capital Stocks to be increased pursuant to this Act, be continued at the respective Rates herein after mentioned, till *Midsummer* 1727 inclusively; and that from thence their then Annuity for their whole Capital, and increased Capital Stocks, may be reduced to 4*l. per Cent. per Annum*, and from thenceforth be likewise redeemable by Parliament: And in Consideration thereof, and of such other Advantages as are in this Act expressed, the Company are willing to make such Payments into the Exchequer as are herein after specify'd, for the Use of the Publick, for paying off the publick Debts incurred before *Christmas* 1716. Now the Commons being desirous to have the said publick Debts and Incumbrances lessen'd as fast as may be, with Regard to Justice and the Publick Faith; and that such publick Duties as are already settled for answering the Company's present Annuity; and also such other publick Duties as are herein specify'd, may be settled in such Manner, that their present Annuity, and the Annuities that shall become payable for their increased Capital, may be continued at the respective Rates herein mentioned till *Midsummer* 1727, inclusive; and that from thence their then Annuity for their whole Capital, and increased Capital, may be reduced to 4*l. per Cent. per Ann.* and thenceforth be redeemable by Parliament, Do grant; and Enacted,

Seft. 1. That the Duties of Excise upon Beer, Ale, Cyder, and other Liquors, granted by 8 *A. c.* 7. for 32 Years from *Lady-Day* 1710; and the new Duties upon Pepper, Raisins, Nutmegs, Cinnamon, Cloves, Mace and Snuff, by the same Act granted for 32 Years from 6 *Feb.* 1709, shall have Continuance for ever; and that the above yearly Sum of

35,000*l.*

35,000 *l.* appropriated by her late Majesty's Letters Patents out of the Excise, and made payable for the Term of 32 Years, commencing from *Michaelmas* 1713, shall, after the Expiration of the said Term, have Continuance for ever. And that the additional Duties upon all Sope, and upon all Paper, Pasteboards, Millboards and Scaleboards, and upon chequer'd and striped Linens, and upon certain Linens printed, painted, stained, or died after the Manufacture, or in the Thread or Yarn before, in Foreign Parts, and upon Silks, Callicoes, Linens and Stuffs, printed, &c. in *Great Britain*; and upon all Starch, and upon Coals shipped to be exported, and upon several Matters and Things that should be engrossed upon stamp Vellom, Parchment and Paper, which by the said Acts of 12 *A. c.* 9, and 1 *G. c.* 2, were granted for 32 Years from 2 *Aug.* 1714, (except as in the same Acts is excepted) shall, by Virtue hereof, have Continuance, after the Expiration of the said Term, for ever. And that the Impositions which by 5 *G. c.* 9, were granted upon all Coals and Culm, which should be brought into the Port of *London*, or the River *Thames*, within the Liberty of the said City, after 27 *Sept.* 1725, and before *Lady-Day* 1751, shall be continued for ever after 24 *March* 1750.

II. *Seç.* 2. The several Rates and Duties by this Act made perpetual, shall be raised by such Rules, Means, and Methods, and under such Penalties and Forfeitures, and subject to such Mitigation, and with such Drawbacks, Allowances and Repayments, and with such Exceptions, and in such Manner and Form, as the like Rates, &c. granted or continued by the said former Acts, are prescribed and enacted to be raised or levied.

III. *Seç.* 3. Provided, That in all Cases where any further or other Provision, or Alteration is made by any other Act now in Force, concerning the said Rates, Duties, &c. such other Provisions and Alterations shall be observed, and take Place, in Relation to the like Rates, Duties, &c. hereby intended to be made perpetual.

IV. *Seç.* 4. All the Monies arising by the said Duties, as well before as when, and as the same shall take Effect by Virtue of this Act, (the Charges of raising the same excepted) shall be brought into the Exchequer, that the *South-Sea* Company may out of the same be secured the Payment of such Annuities as shall become payable to them, in Pursuance of this Act, till the Redemption thereof, according to the Proviso herein after contained.

V. *Seç.* 5. And to the End it may be known what Annuities shall be taken in, and what Debts shall be paid off by the Company, and what Additions in Respect thereof are to be made to their Capital Stock for the same, and how

much they are to pay into the Exchequer for the Use of the Publick, after the Rate of 4 Years and a Half's Purchase, upon such and so many of the said Annuities payable during the Remainders of the said Terms of 96, 89, 99, and 32 Years, which shall be taken in before 1 *March* 1721, and how much after the Rate of one Year's Purchase upon such of the said Annuities, payable during the Remainder of the said Terms of 96, 89, and 99 Years, as shall not be taken in before the said 1 *March* 1721; and what new Allowance is to be made to them for Charges of Management, when the same shall be reduced to a Certainty, the Commissioners of the Treasury, or any three of them, shall by Writings under their Hands constitute such able and fit Persons, or such distinct Numbers of able and fit Persons, as they shall think fit, to be Managers and Directors for doing and performing such Matters and Things as are by this Act appointed to be done and performed by such Managers and Directors.

VI. *Sec.* 6. Such Managers and Directors shall, according to such Directions as they shall receive in Writing from the Treasury, prepare one or more Books, wherein shall be enter'd, under proper Titles or Prefaces, and in proper Columns, the Particulars following, *viz.* One Book for entring the Names of Persons then entitled to the Annuities, payable for the Remainders of the long Terms of 96, 89, and 99 Years, which shall be actually taken in; and also the Names of such Persons then entitled to particular Estates or Interests in such Annuities, who shall be willing to depart with the same, and which shall be actually taken in. And there shall be enter'd in the same Book, every Annuity so payable for the respective Remainder of the said several Terms of 96, 89, and 99 Years, (all which Annuities, if the whole should be purchased, are before computed to amount to 666,821 *l.* 3 *s.* 3 *d.* 2 *q.* or thereabouts) and the particular Duties or other Provisions whereupon every such Annuity was charged: And there shall also be enter'd in the same Book, such Prices as shall be agreed on between the Corporation, or such Agents as they, under their Common Seal, shall empower on their Behalf, on the one Part, and the Proprietors, or such as shall be lawfully entrusted on their Behalf, on the other Part; which Prices are to be answer'd by the Company, either in Ready Money, or otherwise, to the Satisfaction of the Proprietors, or those entrusted by them, upon their subscribing to the respective Entries relating to them in the said Books. And there shall be likewise enter'd the Additions which are to be made to the present Capital Stock of the Company, after the Rate of 20 Years Purchase, for taking in the said Residuary
long

long Terms: Moreover in the same Book shall be set down the Additions to be made to the present Annuity of the Company, in respect of such their new additional Capital Stock; which new Additions are to commence from the Quarterly Feast-Day, last preceding such taking in, and to be payable after the Rate of 5 *l.* per Cent. per Annum, till 24 June 1727 inclusive; and afterwards at 4 *l.* per Cent. per Annum, till Redemption by Parliament.

VII. *Seet.* 7. The said Managers and Directors shall, according to such Directions as they shall receive in Writing from the Treasury, prepare one or more Books, wherein shall be enter'd, under proper Titles, and in proper Columns, the Particulars following, *viz.* the Names of such Persons then entitled to any of the said Annuities, payable out of the said yearly Fund of 81,000 *l.* for 22 Years and 3 Quarters, from *Christmas* 1719, or for the Remainder of the Term which shall be to come at the Quarter-Day preceding the taking in the same; or to particular Estates, or Interests therein, who shall be willing to depart with, and subscribe the same: And there shall be also enter'd every Annuity so payable for the said remaining Term of 22 Years and 3 Quarters, or the Remainder thereof which shall be taken in; and the particular Duties whereupon every such Annuity was charged; and the Prices agreed upon between the Company on one Part, and the Proprietors on the other, which Prices are to be answer'd in Ready Money, or otherwise, to the Satisfaction of the Proprietors, or those entrusted by them: And there shall be likewise enter'd the Additions which are to be made to the present Capital Stock of the Company, after the Rate of 14 Years Purchase, for taking in the said Annuities: And in the same Books, there shall also be enter'd the new Additions to the Company's present Annuity, in respect of such their new additional Capital Stock: Which new Additions to their Annuity, are to commence from the quarterly Feast-Day preceding their taking in the same; and to be payable at 5 *l.* per Cent. per Annum, till 24 June 1727 inclusively; and afterwards at 4 *l.* per Cent. per Annum, till Redemption by Parliament.

VIII. *Seet.* 8. The said Managers and Directors shall, by like Direction from the Treasury, also prepare one or more Books, wherein shall be enter'd under proper Titles, and in proper Columns, the Particulars following, *viz.* The Names of the Persons then entitled to any of the said Annuities payable upon unsubscribed Lottery-Tickets of the Year 1710, out of the Remainder of the yearly Fund of 135,000 *l.* for 23 Years, computed from *Michaelmas* 1719, (being the Remainder of the Term of 32 Years, relating to the said Lottery-Annuities) or to particular Estates therein, who shall be willing

willing to subscribe the same, so that the Company may effectually take in those Lottery-Annuities for the said Term of 23 Years: And there shall be also enter'd every Annuity so payable, which shall be so taken in, and the particular Duties upon which every such Annuity was charged; and there shall be likewise enter'd the Prices agreed on by the Company, or their Agents, on one Part, and the Proprietors, or Persons by them empower'd, on the other Part; which Prices shall also be answer'd by the Company in Ready Money, or otherwise, to the Satisfaction of the Proprietors, or those entrusted by them: And there shall likewise be enter'd the Additions which are to be made to the present Capital Stock of the Company, after the Rate of 14 Years Purchase, for taking in the said Lottery-Annuities; and also the new Additions which are to be made to the Company's present Annuity, in Respect of such new additional Capital Stock: Which new Additions to their Annuity are to commence from *Michaelmas 1719*, and to be payable at *5 l. per Cent. per Annum* till *24 June 1727* inclusively, and afterwards at *4 l. per Cent. per Annum*, till Redemption by Parliament.

IX. *Señ. 9.* And the said Managers and Directors shall, by like Direction from the Treasury, prepare one or more other Books, wherein shall be enter'd under proper Titles, and in proper Columns, every Principal Sum carrying Interest at *5 l. per Cent.* which shall have been actually paid off by the Company to the respective Proprietors of the said Principal Sums computed to amount together to *11,779,660 l. 11 s. 3 d. 3 q.* or thereabouts, after the Rate of *100 l. per Cent.* and so proportionably; and the respective Days and Times when every such Payment shall have been made, and the Names of the Proprietors who shall have received the same, and the particular Duties for which the Interest Monies or Annuities after the Rate of *5 l. per Cent.* were charged: And there shall be also enter'd the new Additions which are to be made to the Company's present Capital Stock, after the Rate of *100 l.* for every *100 l.* so paid off by them; and the new Additions that are to be made to the Company's present Annuity, in respect of the same new additional Stock: Which Additions to their present Annuity, are to commence from the Quarterly or Half-yearly Feast-Day, on which those Annuities are now payable, and last preceding the Time of taking in the same; and are to be also payable after the Rate of *5 l. per Cent. per Annum*, till *24 June 1727* inclusively, and afterwards at *4 l. per Centum per Annum*, till redeemed by Parliament.

X. *Señ. 10.* The said Managers and Directors shall also, by like Direction from the Treasury, prepare one or more

more other Books, wherein shall be enter'd, under proper Titles, and in proper Columns, every Principal Sum which shall have been paid off by the Company, either in ready Money or otherwise, to the Proprietors of the said Principal Sums computed to amount to 4,766,821 *l.* 15 *s.* 9 *d.* 2 *q.* after the Rate of *Cent. per Cent.* and so proportionably; and the Days and Times when every such Payment shall have been made, and the Names of the Proprietors who shall have received the same, and the particular Duties for which the Interest Monies at 4 *l. per Cent.* were charged, and out of which the same were payable. And in the same Books shall also be enter'd the new Additions to be made to the Company's present Capital Stock, after the Rate of *Cent. per Cent.* for every 100 *l.* so paid off by them; and the new Additions to be made to their Annuity, in Respect of the same new additional Stock: Which Additions to their Annuity are to commence from the Quarterly or Half-yearly Feast-Day, on which those Interest-Monies are now payable, and last preceding the Time of taking in such Annuities respectively, and to be also payable at the like Rate of 4 *l. per Cent.* till 24 *June* 1727 inclusively, and afterwards at 4 *l. per Cent.* till Redemption by Parliament.

XI. *Seff.* 11. And the said Managers and Directors according to the like Directions from the Treasury, if thereto requested by the Court of Directors of the said Company, under the Hands of 17 or more of them, or under the Common Seal of the Company, and not otherwise, shall prepare other Books, wherein shall be enter'd, under proper Titles and in Columns, all the principal Sums paid off by the Company, at the Rate of *Cent. per Cent.* or by such Stock as shall be accepted in Lieu thereof, in Pursuance of such Subscriptions; and the Names of the Proprietors who shall be so paid, and the particular Duties on which the said Principal Monies, or the redeemable Annuities payable in respect of the same, were charged; and the new Additions to be made to the Company's present Capital Stock in respect thereof, at the Rate of 100 *l.* for every 100 *l.* so taken in by Subscriptions; and the new Additions to be made to the Company's present Annuity, in respect of such new additional Stock; which new Additions shall be after the Rate of 5 *l. per Cent.* for so much of such new Capital Stock, as they are to have for paying off such Principal Sums as carry Interest at 5 *l. per Cent.* and after the Rate of 4 *l. per Cent.* for such as carry Interest at 4 *l. per Cent.* And the same respective Additions shall commence from the Quarterly or Half-yearly Feast-Day, on which those Annuities are now payable, and that last preceded the Time of taking in such Annuities, and shall continue till 24 *June* 1727 inclusively;

fively; and afterwards at the Rate of 4 *l. per Cent.* till Redemption.

XII. *Seç.* 12. The said Managers and Directors shall, at such Times as the Court of Directors of the Company shall appoint, open the Books so to be prepared at the Company's publick Office, or some other convenient Place to be appointed by the Court of Directors, whereof Notice shall be given in Writing, to be affixed upon the *Royal Exchange*, and inserted in the *London Gazettee*; and the Books shall lie open for such Time as the Court of Directors shall judge necessary.

XIII. *Seç.* 13. And for avoiding all Disputes concerning the Principal Sums hereby intended to be paid off, or the Annuities payable for the same, every Person and Corporation, by or for whom there shall be produced to the Managers, during the Time the Books relating to the Lottery-Tickets shall lie open, so many of the unsubscribed Pay-Tickets belonging to the Lottery 1710, as would (in Case they be not taken in by this Act) warrant the Payment of the Annuities payable thereon, for the Term of 23 Years, out of the above mention'd Sum of 46,260 *l. 6 s. 1 d.* shall be deemed the Lawful Owner of every such Annuity: And every Person and Corporation, by or for whom shall be produced any of those Tickets, by which the fortunate Adventurers would be entitled to Annuities at 4 *l. per Cent.* out of the yearly Fund of 20,000 *l.* mention'd in the said Act of 5 G. and payable by the Cashier of the Bank, shall be deemed the lawful Proprietors of the same Annuities: Provided such Fortunate Tickets have been first chequed, proved and attested by the Managers appointed for that Purpose. And every Person and Corporation, by or for whom shall be produced any of those Tickets as would (in Case they be not taken in by this Act) entitle the Fortunate Adventurers to several Principal Sums amounting to 500,000 *l.* with Interest for the same, till the Principal shall be satisfy'd out of a Fund of 30,559 *l. 14 s. per Annum*, mention'd in another Act of 5 G. shall be deemed the lawful Proprietors of the said Principal and Interest: Provided such Fortunate Tickets so produced, shall have been first chequed, &c.

XIV. *Seç.* 14. And whereas the Annuities payable during the Remainders of 96, 89, and 99, and the Annuities at 9 *l. per Cent.* during the Remainder of the Term of 32 Years; and the Principal Monies unsatisfy'd on her late Majesty's Letters Patents abovemention'd, and the Interest thereof, and the Principal Money remaining unsatisfy'd, as well in Respect of the Blank as Fortunate Tickets, by Virtue of the said Acts of 12 A. and 1 G. are all payable by standing Orders made forth by the Treasury; which Orders, and all Assign-

Assignments thereof, and of the Annuities or Debts therein specify'd, and all Devises by Will concerning the same, are or ought to be register'd in Books for that Purpose kept in the Exchequer, or particular Offices where the same Annuities are payable; therefore Enacted, That such Persons and Corporations as by the said Books or Registers shall appear to be entitled to such Annuities, at the Time when they shall be taken in by Purchase, Subscription, or Paying off as aforesaid, shall be deemed the lawful Proprietors thereof; and the Auditor of the Receipt of the Exchequer, and each Controller in those particular Offices, shall, before 30 May 1720, transmit in Writing under their Hands to the Managers fair Schedules, expressing therein every such Annuity, and the present Proprietors thereof, and the particular Duties charged therewith, as they shall appear by the said Books at the Time of transmitting such Schedules; and shall afterwards daily certify to the Managers, all Alterations or Additions, which ought to be made to the said Schedules, by any subsequent Assignments, Wills, or Titles, brought to be enter'd at the said Receipt or other Offices after the transmitting the said Schedules, till 1 March 1721.

XV. *Señ. 15.* And whereas the Annuities at 5 *l. per Cent.* amounting to 53,950 *l.* founded upon the said two Acts of 1 G. and the Annuities at 5 *l. per Cent.* amounting to 476,717 *l.* 17 *s.* 8 *d.* founded upon the Act of 3 G. and the Annuities at 4 *l. per Cent.* amounting to 102,036 *l.* 13 *s.* 2 *d.* founded on the same Act; and the Annuities at 5 *l. per Cent.* amounting to 5515 *l.* 12 *s.* payable for the Service of the Navy, by a Clause in the Land-Tax Act of 5 G. and the Annuity of 23 *l.* 8 *s.* 3 *d.* 1 *q.* founded the said Act for the Relief of *Edward Clent*, are all payable by the Cashier of the Bank out of Monies imprested to him at the Exchequer for that Purpose, and are assignable at the Bank, and deviseable by Wills enter'd in Books kept there for that Purpose; therefore Enacted, that such Persons, as by the said Books shall appear to be entitled to the said Annuities, shall be adjudged the lawful Proprietors thereof; and the Accountant General of the Bank shall, by 30 May 1720, transmit in Writing under his Hand to the Managers fair Schedules expressing every such Annuity, or Share in Stock for the same, and the Names and Additions of the Proprietors thereof, and the Duties charged therewith, as they shall appear by the said Books at the Time of transmitting such Schedules; and shall afterwards certify to the Managers all Alterations or Additions which ought to be made to the Schedule, by any subsequent Transfers or Wills brought to the Bank to be enter'd after transmitting the said Schedule, till 1 March 1721.

XVI. *Señ.*

XVI. Sect. 16. No Fee or Reward shall be demanded or taken of the said Company, or of the Managers, or Proprietors or their Agents, for making or transmitting the said Schedules; and such Persons or Corporations as shall appear in such Schedules to be entitled to any such Annuities, shall be deemed the true Proprietors thereof, and of the Shares of Stock created for the same, at the Time of transmitting the Schedules.

XVII. Sect. 17. The Managers, before any of the said Books shall be opened by them, shall give Notice in Writing under their Hands to the Accountant General of the Bank, of the Days on which such Subscription-Books shall be opened; and after every Closing of such Books, shall certify to him the Names of the Proprietors of the same Annuities, by or for whom Subscriptions shall have been made in the Books so to be open'd by the Managers; and of the particular Shares of and in the same Annuities, and the Stock attending the same: Upon Receipt of which Schedules from the Managers, the said Accountant General shall forthwith write from, and debit the Accounts of each Person contain'd in the Schedules, of their respective Shares in the same Annuities, and Stock attending the same; and shall take Care, that the respective Persons do not transfer any such Share contain'd in the Schedules to be transmitted to him by the Managers: And the said Accountant General shall likewise take Care, that after such Notice given him by the Managers, and till he shall have received from them such Schedules, no Transfers shall be made in the Books by him kept, relating to such Annuities, for which such Subscription-Books shall be opened.

XVIII. Sect. 18. If the Accountant General of the Bank, neglect or delay to transmit such Schedules, or to make Certificates to the Managers, or to stop the Transfers of the redeemable Annuities which are transferrable at the Bank, or to do any other Matters by this Act required to be done by him, in such Case the Governor and Company of the Bank, who have the Nomination of such Accountant General, shall be obliged to cause such Matters to be done, in such Manner as the said Accountant General ought to have done the same.

XIX. Sect. 19. The *South-Sea* Company may redeem all, or any the redeemable Debts and Incumbrances above mention'd, amounting in the Whole to 16,546,482*l.* 7*s.* 1*d.* 1*q.* or thereabouts, and the Securities for the same, by paying them off at the Rate of 100*l.* for every 100*l.* and so proportionably, at their publick Office, at some Time before 1 *March* 1721, and may use all lawful Means for Redemption thereof.

XX. Sect. 20. In all Cases where by any Acts now in Force, Notice for Redemption of the said Debts and Incumbrances, should be given in Behalf of the Publick by Authority of Parliament, or by the Speaker of the House of Commons, pursuant to any Vote or Resolution of that House, the like Notice may be given by the Company, or such as they, or their Court of Directors shall appoint, for Redemption of the same, or so many of them as are redeemable at a Time as they in Regard to their own Abilities, and other Circumstances, shall think fit; and after the Expiration of the Time mentioned in such Notice, for paying off the same Debts, or any Part of them, such Debts, or such Parts thereof, as shall be mention'd in such Notice, shall, upon Payment of the respective Sums, payable to the Proprietors for such Redemption, or Tender thereof at the publick Office of the Company, be adjudged to be redeemed; and the Interest or Annuity in Respect thereof to the Proprietors, shall thenceforth cease and determine to be payable to them; and in Lieu thereof a like Annuity shall be paid to the *South-Sea Company*, till 24 *June* 1727, and from thence after the Rate of 4 *l. per Cent.* till Redemption by Parliament; and a proportional Addition, in Respect thereof, shall be made to their Capital Stock, so as such Debts and Incumbrances as shall be redeemed upon such Notices, be paid off at the Rate of 100 *l.* for every 100 *l.* Principal Money, and so proportionably, at such Times to be mention'd in such Notices, before 1 *March* 1721, at the publick Office of the Company. And as to such of the said Debts and Incumbrances, for Redemption whereof no Notice is by Law required, the Company, or their Court of Directors, may give Notice by Writing, to be affixed upon the *Royal Exchange*, or by Publication in the *London Gazette*; and thereby to appoint a Time for Payment of the said Debts, or such Parts of them at a Time, as they shall think fit. And after the Expiration of the Time mention'd in such Notices, such Debts and Incumbrances shall (upon Payment of the respective Sums payable to the Proprietors for such Redemption, or Tender thereof at the Company's publick Office) be adjudged to be redeemed, and the Annuity payable in respect thereof to the Proprietors, shall cease and determine; and in Lieu thereof, an Annuity after the like Rate as is now payable for such Debts, shall from thenceforth be paid to the Company till *Midsummer* 1727, and from thence after the Rate of 4 *l. per Cent.* till Renemption; and a proportional Addition shall be made to the Company's Stock.

XXI. Sect. 21. The Company may, before 1 *March* 1721, take in by Way of Purchase or Subscription, all or any the above mention'd Annuities, payable during the Remainders then

then to come of the said Terms of 96, 89 and 99 Years, computed to amount to 666,821 *l.* 8 *s.* 3 *d.* 2 *q.* *per Annum*, or thereabouts, and all the present and future Estates therein, and the Securities for the same, so as they be effectually taken in for the whole Residue of the said Terms; and all or any the above-mentioned Lottery-Annuities, computed to amount to 46,260 *l.* 6 *s.* 1 *d.* *per Annum*, or thereabouts, for the said whole Term of 23 Years from *Michaelmas* 1719, and the Pay-Tickets for the same; and may also take in the above-mention'd Annuities, computed to amount to 81,000 *l.* *per Annum*, or thereabouts, for the said whole Term of 22 Years and three Quarters of a Year from *Christmas* 1719; at such Prices as shall be mutually agreed upon between the Company, or their Court of Directors, and the Proprietors or their Agents; so as such Prices be actually paid at their publick Office in *London*, by 1 *March* 1721.

XXII. *Seff.* 22. If all or any the Proprietors of the said redeemable Debts and Incumbrances, herein computed to amount to 16,546,482 *l.* 7 *s.* 1 *d.* 1 *q.* or thereabouts, shall be willing to accept (in Lieu of the said Rate of 100 *l.* *per Cent.* in Money) of Shares in the Company's Capital Stock, to be increased in Pursuance to this Act, at such Price as shall be mutually agreed upon at the Time of subscribing, such Proprietors shall be entitled thereto accordingly, and in Respect of such Shares, shall be deemed Members of the Company, be entitled to the like Powers and Advantages as the other Members, and shall have Credit in the Company's Books for their Shares, in the whole Joint-stock of the Company, and in all Dividends and Profits to attend the same.

XXIII. *Seff.* 23. Every Proprietor shall have Liberty, during such Time as the Books shall lie open, to subscribe his Annuities or Debts in the proper Books, at such Prices, and upon such Conditions, as are in this Act before prescribed; and all Executors, Administrators, Guardians and Trustees, shall have like Liberty to subscribe for their Testators, Intestates, Infants, Minors, Femes Covert, *Cestui que Trusts*, or others, for whom they shall be entrusted, and shall be indemnify'd for doing the same: But the Shares which such Executors, &c. shall, by Virtue of such Subscriptions, be entitled to, in the Company's Capital Stock, shall be liable to the like Uses, Trusts and Purposes, as the same Annuities and Debts would have been, had they not been so taken in.

XXIV. *Seff.* 24. All Persons who shall be paid or satisfy'd for their Annuities or Debts, in Money, or by Acceptance of Shares in the said Capital Stock, shall at the same Time deliver up to such Persons as the Treasury shall appoint, all

the Orders and Tickets whereby they were entitled to such Annuities or Debts.

XXV. *Seç. 25.* If any of the Proprietors of such Orders or Tickets, shall make Oath by an Affidavit in Writing, (or being a Quaker, shall make Solemn Affirmation) that the said Orders or Tickets are lost, burnt, or destroy'd, and therefore they cannot produce the same; and that if they could be produced, they would be their Property at the Time of making such Oath or Affirmation: And if any two or more of the Persons appointed for taking in the said Orders or Tickets, (who have hereby Power to take such Oaths, &c. and to examine the Parties concerning the same) shall be satisfy'd in the Truth thereof, in such Case, they may take in the said Affidavits, &c. instead of the Orders or Tickets to which they shall have Relation.

XXVI. *Seç. 26.* The Persons appointed for taking in the said Orders, &c. or such Affidavits, &c. instead thereof, shall deliver them, with Lists thereof, (sign'd by two or more of the Persons so appointed) into the Receipt of the Exchequer, there to remain for ever: And no Payments or Issues shall afterwards be made upon any the said Orders, &c. unless it be for such Arrearages of the said Annuities or Interest-Monies, for which special Provision is afterwards made by this Act: And the particular Duties, Revenues, &c. charged with the Payment of the Annuities and Debts, payable by the said Orders, &c. shall be thenceforth discharged thereof: (except as before.)

XXVII. *Seç. 27.* The said Managers and Directors, or any three or more of them, shall, from Time to Time, make up, adjust and sign distinct Accounts of all the Annuities and Debts that shall have been taken in or paid off within the Time of every such Account; that is to say, One Account of all the Annuities taken in as Part of the Annuities computed to amount to 666,821 *l.* 8 *s.* 3 *d.* 2 *q.* *per Annum*, or thereabouts: Another Account of all the Annuities taken in as Part of the Annuities computed to amount to 81,000 *l.* *per Annum*, or thereabouts: Another Account of the heretofore unsubscribed Lottery-Annuities, taken in as Part of the Annuities computed to amount to 46,260 *l.* 6 *s.* 1 *d.* *per Annum*, or thereabouts: Another Account of the Principal Sums taken in by Purchase or Subscription, or paid off as Part of the above mention'd Sums computed to amount to 563,300 *l.* carrying Interest at 4 *l.* *per Cent.* by Virtue of her Majesty's Letters Patents before mentioned: Another Account of all the Principal Sums taken in by Purchase, &c. as Part of the above mention'd Sums, computed to amount to 1,055,990 *l.* or thereabouts, carrying Interest at 5 *l.* *per Cent.* and 652,020 *l.* or thereabouts, carry-

ing Interest at 4 *l. per Cent.* by Virtue of the said Acts of 12 A. and 1 G. Another Account of all the Principal Sums taken in by Purchase, &c. as Part of the above-mention'd Sum of 500,000 *l.* payable with Interest at 4 *l. per Cent.* by one of the Lottery-Acts of 5 G. And another Account of all the Principal Sums taken in by Purchase, &c. as Part of the above-mention'd Sum computed to amount to 10,723,670 *l.* 11 *s.* 3 *d.* 3 *q.* or thereabouts, for which Annuities are payable by the Cashier of the Bank, at 5 *l. per Cent.* or as Part of the above-mention'd Sum computed to amount to 3,051,501 *l.* 15 *s.* 9 *d.* 2 *q.* or thereabouts, for which Annuities are payable by the same Cashier at 4 *l. per Cent.* And in every such Account shall be particularly expressed every Annuity or Debt taken in, or paid off as aforesaid; the Names of the Proprietors, the Duties or Revenues severally charged therewith, the Prices paid for the same, and the Additions which the Company is to have to their Capital Stock and Annuity, for the taking in or paying off those Annuities and Debts respectively.

XXVIII. *Seff.* 28. The said Managers and Directors shall transmit Duplicates of the said several Accounts, attested by three or more of them, to the Treasury, and to the Directors of the Company; and Duplicates of so much as concerned any of the said Annuities or Debts payable at the Exchequer, to the Auditor of the Receipt; and also Duplicates of so much as concerned any of the said Annuities or Debts payable at the Lottery Offices, to such Persons as the Treasury shall appoint; and Duplicates of so much thereof as may relate to the Principal Sums for which Annuities are payable by the Cashier of the Bank, to the Accountant General of the Bank.

XXIX. *Seff.* 29. The Managers and Directors shall, with all convenient Speed, after 1 *March* 1721, or after the said Annuities and Debts shall be taken in or paid off, which shall first happen, deliver compleat Duplicates of all the Subscriptions and Entries contain'd in the said Books. (such Duplicates being first attested under three or more of their Hands) to the Auditor of the Receipt, to remain in his Office for ever. And they shall likewise, within the Times aforesaid, deliver the said Books (being first attested in like manner) containing all the Subscriptions and Entries, which then, or before that Time, shall have been made therein, to the Court of Directors, for the Use of the Company.

XXX. *Seff.* 30. The Values to be computed at 20 Years Purchase, for such Annuities computed to amount to 666,821 *l.* 8 *s.* 3 *d.* 2 *q.* *per Annum*, or thereabouts; and the Values to be computed at 14 Years Purchase for such of the Annuities as are computed to amount to 81,000 *l.* *per Annum*,
or

or thereabouts; and the Values to be computed at the like Rate of 14 Years Purchase, for such of the Lottery-Annuities, computed to amount to 46,260*l.* 6*s.* 1*d.* *per Annum*, or thereabouts; and the Values to be computed at *Cent. per Cent.* of the redeemable Debts and Incumbrances, computed to amount to 16,546,482*l.* 7*s.* 1*d.* 1*q.* or thereabouts, which shall from Time to Time, as the said Annuities, Debts and Incumbrances shall be taken in or paid off, and as the respective Values shall be specify'd in the Entries which shall have been made in the said Books of the Managers and Directors, shall be added and united to the present Capital Stock of the Company; and every Member of that Corporation, (as well those incorporated by this Act as others) shall have Credit in the Company's Books for their Proportion of the whole Capital so increased, and in all Dividends, &c. to attend the same: And the Company, for every Addition to their Capital, (except the Additions to be made in respect of the Sums before computed to amount to 3,051,501*l.* 15*s.* 9*d.* 2*q.* and 1,715,320*l.* in all 4,766,821*l.* 15*s.* 9*d.* 2*q.* or thereabouts; for which Annuities or Interest at 4*l.* *per Cent.* are now payable) shall have and enjoy an Addition to their Annuity or yearly Fund, after the Rate of 5*l.* *per Cent. per Annum*, till 24 June 1727, and from thence at 4*l.* *per Cent.* till Redemption by Parliament; and for every Addition to their Capital Stock, in respect of the said Sums computed to amount to 4,766,821*l.* 15*s.* 9*d.* 2*q.* they shall have an Addition to their said yearly Fund, after the Rate of 4*l.* *per Cent.* till Redemption.

XXXI. *Seet.* 31. The Additions to be made to the Company's present Annuity, in respect of the Annuities, &c. taken in or paid off by them in Pursuance of this Act, shall commence from the Quarterly or Half-yearly Feast-Day, on which the Annuities or Interest-Money, in respect of such Annuities, Debts and Incumbrances, so taken in or paid off, are payable, and which shall last precede such Payment or Subscription thereof: Except the Additions to be made for taking in the Lottery-Annuities of the Year 1710, for which the proportional Annuity of the Company is to commence from *Michaelmas* 1719.

XXXII. *Seet.* 32. The Treasury shall from Time to Time, as they shall receive the said Accounts or Duplicates thereof from the Managers, by Instruments in Writing under Hand and Seal, declare, settle and determine, not only the Addition to be made to the Company's Capital Stock, according to the Values specify'd in such Accounts or Duplicates, but also the Additions to be made to their yearly Fund in Respect of such additional Stock, and the Times from whence the said Additions shall commence; and every

Member, in Proportion to his Shares, shall have Credit in the Company's Books.

XXXIII. *Señ.* 33. The Annuity now payable to the Company, after the Rate of 5 *l. per Cent.* till *Midsummer* 1727, and from thence at 4 *l. per Cent.* till Redemption, shall grow due quarterly, at the four most usual Feasts in the Year, by equal Portions (nevertheless to be satisfy'd by weekly or other Payments) out of the Monies to arise of the particular Duties now chargeable with the said Annuity: And the several Additions to the Company's Annuity by Virtue of this Act shall grow due, and be charged in like Manner: And in Case any of the said particular Duties are temporary, in such Case every such additional Annuity, till Redemption according to this Act, shall be charged upon and payable out of the like particular Duties, by this Act continued for ever.

XXXIV. *Señ.* 34. The Treasury shall, with all convenient Speed, cause an Estimate to be taken of the whole annual Cost to the Publick, for paying and accounting for all the Annuities and Debts specify'd in this Act, (whether they shall or shall not be all taken in or paid off) and upon receiving the above-mention'd Accounts, or Duplicates thereof, from the Managers, shall compute and allow to the Company, a Proportion of the Costs for the Annuities and Debts then appearing to be actually taken in or paid off; that is to say, as the Sum of 11,746,844 *l. 8 s. 10 d.* (being their present Capital) is to the yearly Sum of 9397 *l. 9 s. 6 d.* (being their present Allowance for Management) so the Stock which they are to have for the Annuities and Debts, by every such Account or Duplicate thereof, appearing to be taken in or paid off, shall be to the proportional Sum to be allow'd to the Company towards their Charges, so as all the proportional Sums last mention'd, do not exceed the whole of one Year's Cost for paying, assigning and accounting for all the Annuities and Debts before mentioned. And the proportional Sums so to be allowed, shall be specify'd in the said Instruments, and shall commence at the respective Times, at which the to be encreased Annuity, or the proportional Parts thereof, shall commence.

XXXV. *Señ.* 35. The Sums amounting to 9397 *l. 9 s. 6 d. per Annum*, and such farther Sums for Charges of Management, shall be paid to the Company, at such Times, and in such Manner, as their present Annuity, and the said Additions to be made thereto, are hereby made payable, till the same yearly Funds shall be redeemed, and shall be charged upon the particular Duties and Incomes, by this Act charged with the Company's present Annuity, and with the several Additions to be made thereto.

XXXVI. *Señ.* 36. The Duties charged with the Payment of the Company's Annuity, and the Additions to be made thereto, and with Payment of the said yearly Sum of 9397 *l.* 9 *s.* 6 *d.* and the Additions to be made to the same for Charges of Management, (whether the same Duties were granted in Perpetuity by former Acts, or continued in Perpetuity by this) shall be levied, and all the Monies arising, (except the necessary Charges of raising and paying the same into the Exchequer in *England*) shall be brought into the same Exchequer, according to the Directions, and with such Drawbacks and Allowances, and under such Penalties and Disabilities, as are prescribed by former Acts, or referred to by this, as fully as if the same Directions, &c. were in this Act particularly repeated: And the Monies so brought into the Exchequer, shall be fairly enter'd in Books to be kept in the Offices of the Auditor of the Receipt and Clerk of the Pells, to which all Persons concerned shall have Access without Fee.

XXXVII. *Señ.* 37. The Auditor of the Receipt, and the Clerk of the Pells shall severally keep one other Book, in which shall be enter'd distinctly, so much of the Monies so coming into the Exchequer, as ought to be apply'd towards Payment of the Company's present yearly Fund, and the Additions to be made thereto; and of the said yearly Sum of 9397 *l.* 9 *s.* 6 *d.* for Charges of Management, and the Additions to be made to the same; which Monies shall be kept apart for that Purpose, from all other Monies payable into the said Receipt.

XXXVIII. *Señ.* 38. All the Monies so kept apart for the Purposes in this Act, are hereby appropriated, and shall be apply'd to the Payment of such Sums as shall from Time to Time be due to the Company, (but subject to such Reduction and Redemption as are hereby prescribed) and to no other Use. And the Officers in the Exchequer, making any Delay in issuing the same, or diverting, or misapplying any the said Monies, shall, for every such Offence be forejudged their Offices, and be incapable to serve the Crown in any Office of Trust or Profit; and shall also be liable to pay double the Sum so delay'd or misapply'd, to the Company, to be recover'd by Action of Debt, &c. in any of the Courts in *Westminster*, wherein no Essoin, &c. or more than one Imparlance shall be allow'd.

XXXIX. *Señ.* 39. Orders for making Payments to the Company in Manner aforesaid, shall be sign'd by the Treasury, and after signing shall be good in Law, and shall not be determinable upon the Death or Removal of any Commissioner of the Treasury, &c. nor shall the Treasury have Power to revoke or make void such Orders.

XL. *Señ. 40.* Weekly, or otherwise, as the Monies hereby appropriated shall be brought into the Exchequer, the same shall be issued on such Orders; so as such weekly or other Payments do not exceed the Sums that shall grow due at the End of any Quarter.

XLI. *Señ. 41.* The Deficiencies of any one Quarter shall be supplied out of the Overplus-Monies to arise and be set apart in any subsequent Quarter.

XLII. *Señ. 42.* Such of the said Annuities and Debts, as shall not be taken in by Purchase or Subscription, or paid off in Pursuance of this Act, and the Interest-Monies payable for the same, shall continue to be paid to the Proprietors thereof, their Executors, &c. at the same Offices, and out of the same Duties, and at the same Times; and shall be assignable, transferrable, and disposable in the same Manner, &c. as if this Act had never been made. Neither shall this Act delay or prejudice, at any Time before or after 1 *March* 1721, the receiving, assigning, transferring or disposing, the said Annuities or Debts, or the Interest of such Debts not taken in or paid off, in any Manner of wise (except as is before otherwise provided, relating to the stopping or delaying, the assigning and transferring the Annuities or Shares in Stock for the same, now transferrable at the Office of the Bank.)

XLIII. *Señ. 43.* And as to such of the above mentioned Annuities and Debts at Interest, as before 1 *March* 1721, shall actually be taken in by Purchase or Subscription, or be paid off, the Proprietors of the same, their Executors, &c. at the same Offices, and out of the same Duties as are severally charged therewith, shall be satisfy'd all the Arrearages of the said Annuities and Interest-Monies, (the Arrearages on the Lottery-Annuities for the Year 1710, only excepted) till the quarterly or half-yearly Feast Day, on which such Annuity, or Interest-Money were payable, and which shall last precede the Days of taking in or paying off the same: And that the said Days may be certainly known, and for preventing Frauds relating thereto, the said Managers and Directors, or any three or more of them, shall certify the Time of taking in, or paying off the same in Manner following, *viz.* So much thereof as imported the Payment of any Annuity or Interest at the Exchequer, shall be certify'd to the Auditor of that Receipt: So much thereof as imported Payment of any Annuities by the Cashier of the Bank, or attended Stock for the same, shall be certified to the Accountant-General, in the Office of the Bank; and so much thereof as imported Payment of any the said Annuities or Interest Monies in any other particular Offices, shall be certify'd to the Controllers of these Offices: Which said Auditor,

Auditor, Accountant General, and Controllers respectively, are to take Care, that after Payment of such Arrears, no further Payments, or Assignments, or Transfers thereof, be made in their Offices, whereby the Publick may be liable to a double Payment.

XLIV. *Señt.* 44. The *South-Sea* Company (in Consideration of the Liberty hereby given them, of increasing their Capital Stock, and their yearly Fund in Respect thereof, by taking in, or paying off all the Redeemable Debts and Incumbrances, before computed to amount to 16,546,482 *l.* 7 *s.* 1 *d.* 1 *q.* or thereabouts) shall pay into the Exchequer, towards discharging the Principal and Interest of such national Debts and Incumbrances as were incurred before 25 December 1716, the Sum of 4,156,306 *l.* 4 *s.* 11 *d.* without any Deduction, by four quarterly Payments, *viz.* One fourth Part thereof by *Lady-Day* 1721, another fourth Part by *Midsummer* 1721, another by *Michaelmas* 1721, and the remaining Fourth Part by *Christmas* 1721.

XLV. *Señt.* 45. The same Corporation (in Consideration of the Increase that will be made to their Capital Stock and yearly Fund, by taking in by Purchase or Subscription to be mutually agreed on with the Proprietors, the said Annuities for the Remainders of the Terms of 96, 89 and 99 Years, and 32 Years) shall pay into the Exchequer four Years and a Half's Purchase, upon all such of the Annuities as shall be so actually taken in by 1 March 1721; that is to say, at the Rate of 450 *l.* for every such Annuity amounting to 100 *l.* *per Annum*, and so proportionably: The Monies so arising to be also apply'd towards discharging the said national Debts and Incumbrances incurred before 25 Dec. 1716; and to be paid into the Exchequer by four quarterly Payments, *viz.* One fourth Part thereof by *Lady-Day* 1722; another Fourth by *Midsummer* 1722; another by *Michaelmas* 1722, and the remaining Fourth Part by *Christmas* 1722.

XLVI. *Señt.* 46. The same Corporation shall pay into the Exchequer without Deduction, towards discharging the said national Debts and Incumbrances, one Year's Purchase upon all such of the said Annuities of 96, 89, and 99 Years, as shall not be taken in by Purchase or Subscription, by 1 March 1721, at the Times, and by the Proportions following, *viz.* One fourth Part thereof by *Lady-Day* 1722; another Fourth by *Midsummer* 1722; another by *Michaelmas* 1722, and the remaining Fourth by *Christmas* 1722.

XLVII. *Señt.* 47. In Case the said Corporation shall make Failure in Payment of any the Sums before-mention'd, or any Part thereof, at the respective limited Times, then the Money whereof such Failure in Payment shall be made,

may be recover'd in his Majesty's Name, by Action of Debt; &c. in any of the Courts at *Westminster*, wherein no *Essoin*, &c. shall be allow'd, nor more than one *Impar lance*: In which Action it shall be lawful to declare, That the Governor and Company of Merchants, trading to the *South-Seas*, &c. are indebted to his Majesty the Money of which they shall have made Default in Payment, according to this Statute, and have not paid the same; which shall be sufficient. And in such Action, there shall be farther recover'd against the Defendants, Damage after the Rate of 5 *l. per Cent. per Annum*, for the Monies so unpaid: And the Corporation, and their Stock and Funds are made liable thereto.

XLVIII. Sect 48. And for enabling the Company to raise the said Sum of 4,156,306 *l. 14 s. 11 d.* and the Sum to be paid after the Rate of four Years and a Half's Purchase, and one Year's Purchase, and for purchasing or paying off the Annuities, and for exchanging for ready Money the new Exchequer-Bills, to be made forth as herein after is mentioned, and for defraying the Interest thereof, and for carrying on their Trade, and other necessary Occasions; the Company may, from Time to Time, as they shall see Cause, call in from their Members, proportionably, according to their Interests in the Capital Stock, and which shall be encreased as aforesaid, or by opening Books of Subscription, or by granting Annuities redeemable by the Company, or by any other Method they shall think proper, raise any Sums of Money, as in a General Court of the Company shall be judg'd necessary, and order'd to be called in. And all Executors, Administrators, Guardians, Trustees and Mortgagees, shall be indemnify'd in paying, and are empower'd to pay their Proportions of the Money so called in: And if any Member shall neglect or refuse to pay his Share of the Money so called in, at the Times appointed by Notice in the *Gazette*, and fixed on the *Royal Exchange*, it shall be lawful for the Company, not only to stop the Share and Dividend which shall become payable to such Member, of the Funds, &c. of the Company, and to apply the same towards Payment of the Share of the Money so called in, till the same be satisfy'd; but also to stop the Transfers or Assignments of the Shares of every such Defaulter, and to charge him with Interest at 5 *l. per Cent. per Annum*, for the Money so omitted to be paid, from the Time appointed to pay it, till Payment thereof, and the Stock of such Defaulter shall be liable to make good the same: And if the Principal and Interest be unpaid by the Space of three Months, the Company or Court of Directors shall have Power to authorize such Persons as they shall think fit, to sell or transfer so much of such Defaulter's Stock as will satisfy the

the same, rendring the Overplus to the Proprietor. And the Company, in a General Court, at any Time when they shall judge their Affairs will admit thereof, may cause any Sums of Money so called in, or any Part thereof, to be divided amongst the Members of the Corportion in Proportion to their respective Interests in the Capital Stock.

XLIX. *Seç.* 49. The Company may borrow Money upon any Contracts, Bills, Bonds, or Obligations under their Common Seal, or upon Credit of their Capital Stock, or any Part thereof, at such Interest for any Time not less than six Months, as they shall think fit; and give Security under their Common Seal, or by transferring their Stock, or otherwise, as shall be to the Satisfaction of the Lenders.

L. *Seç.* 50. All Bonds and Obligations under the Common Seal of the Company, shall bind as well the annual Fund, and additional annual Fund payable to the Company by Virtue of this Act, as the present and additional Stocks, and other Effects of the Company for the Time being: And all such Bonds and Obligations shall be assignable, and the Monies thereupon recoverable as effectually, and in as ample Manner, as any their Bonds taken upon any former Act might be assign'd, or the Money due thereupon recover'd.

LI. *Seç.* 51. All such Contracts, Bills, Bonds, &c. under the Common Seal of the Corporation shall not be charged with any the Duties on Stamp Vellom, &c.

LII. *Seç.* 52. The Money so called in from the Members, shall, (if the Company think proper) be deemed an additional Stock, and shall be written into the Company's Books; and each Member shall have Credit in the Books for his Proportion thereof, and may transfer the same, or devise it by Will: Nevertheless the Company, in Respect of such Stock so added, shall not be entitled to any Increase of their Annuity, to be paid out of the Publick Duties or Incomes above-mentioned.

LIII. *Seç.* 53. The present Capital Stock of 11,746,844*l.* 8*s.* 10*d.* and the said Annuity of 587,342*l.* 4*s.* 5*d.* and the said yearly Sum of 9397*l.* 9*s.* 6*d.* for Charges of Management, and the Additions to be made to each of the same Sums by Virtue of this Act; and the Share of every Member in the same Capital, and the same Additions; and in the said Annuity of 587,342*l.* 4*s.* 5*d.* and the same Additions to be made thereto; and in the said yearly Sum of 9397*l.* 9*s.* 6*d.* for Management, and the Additions to be made thereto, shall be adjudged a Personal, and not a Real Estate; and shall go to Executors or Administrators, and not to the Heirs, of Persons dying possess'd thereof, or entitled

titled thereto; and shall not be liable to any Foreign Attachment by the Custom of *London*, or otherwise.

LIV. *Sett.* 54. The Members who have Shares in the present Capital, or in the encreased Stock, may assign their Shares in the Books of the Corporation, in the Manner prescribed by the Acts and Charter now in Force; or may devise the same by Will, as any Share in the Original Stock is deviseable.

LV. *Sett.* 55. The present Annuity of 587.342 *l.* 4 *s.* 5 *d.* and the said yearly Sum of 9397 *l.* 9 *s.* 6 *d.* for Charges of Management, and the Additions to be made to either of the same by Virtue of this Act, and the Shares of the Members in the same, and in the present and encreased Capital Stock of the Company, and in the Benefit of Trade; and the Stock in Trade, and Money to be raised for the Purposes aforesaid, shall be exempted from all Taxes. And no Person, in Respect of his being Governor, Sub-Governor, Deputy-Governor, Director, Manager, or Member of the same Corporation, or for having any Share therein, or for acting as a Manager, Director, or otherwise, or for any other Thing done in Pursuance of this Act, shall be disabled from serving in Parliament, or liable to any Penalty or Disability for not qualifying himself as for an Office of Profit or Trust: And every Proprietor of any the Annuities or Debts above-mentioned, may, notwithstanding his being in any of the said Offices or Trusts, contract for the Price of his Annuity, or subscribe such Annuity or Debt in the Books to be opened as aforesaid, and receive his Payment for the same, as if he were not in such Office or Trust; so as such Contract with him be made by the other Persons entrusted on Behalf of the Corporation; and so as the said Subscription (in Case he be a Manager) be taken by two or more of the other Managers. And no Member of the Company, in Respect of his Share in the Capital or encreased Capital Stock, shall be adjudged liable to be a Bankrupt; and no Stock in the Company shall be liable to Foreign Attachment, by the Custom of *London*, or otherwise.

LVI. *Sett.* 56. The Transfers of the present Capital or encreased Stock, shall not be liable to any higher Stamp, or other Duties than are now payable; and Persons forging or counterfeiting the Common Seal of the Company, or forging or altering any Bond under the same Seal, or offering to dispose of any Bond so forged or altered, every such Offender being convicted thereof, shall be guilty of Felony, and suffer Death without Benefit of Clergy.

LVII. *Sett.* 57. The Company shall continue for ever, and be one Body Corporate, by the Name of The Governor
nor

nor and Company of Merchants of *Great Britain*, trading to the *South-Seas*, and other Parts of *America*, and for encouraging the Fishery; and shall enjoy the said Annuity or yearly Fund of 587,342 *l.* 4 *s.* 5 *d.* and the yearly Funds to be added thereto by Way of Increase; and the said yearly Sum of 9397 *l.* 9 *s.* 6 *d.* and the yearly Sums to be added thereto by Way of Increase for Management, pursuant to this Act, till the Redemption thereof; and shall hold and enjoy for ever all their Forts, Factories, Acquisitions, Lands, Tenements, Hereditaments, sole Benefit of Trade to the *South-Seas*, and elsewhere, with a perpetual Succession; and all Abilities, Capacities, Powers, Authorities, Franchises, Exemptions, Privileges, Profits and Advantages whatsoever, whereto they are, or before this Act were entitled by former Acts, Grant, or Charter now in Force, (all which are hereby ratify'd and confirm'd) discharged from all former Powers of Redemption, but subject to the Proviso's and Powers herein after contain'd.

LVIII. *Seç.* 58. After the Feast of the Nativity of *St. John Baptist* 1727, upon Repayment by Parliament of the whole Sum whereof the Company's Capital Stock, with all Additions, which (for taking in the said Annuities, Debts, and Incumbrances) are to be made thereto by Way of Increase, shall then consist, without any Deduction whatsoever; and upon Payment of all Arrears, which (if any) shall be paid to the quarterly Feast then next preceding, and from thence shall be computed and paid by the Day, till full Payment be made; then the yearly Fund, and the Funds to be added thereto pursuant to this Act. and the said yearly Sums to be allow'd for Management, shall cease and determine.

LIX. *Seç.* 59. After *Midsummer* 1727, upon Repayment by Parliament to the Company of any Sum (not less than one Million at a Time) in Part of the Principal Monies whereto the said Capital, with all the Additions to be made to the same by Way of Increase, shall then jointly amount, and upon Payment of all Arrears due to them upon their increased yearly Fund, or so much of those Arrears as shall bear a Proportion to the Principal Sums remaining unsatisfy'd; being computed by the Day till the Time of every such Payment of Part of the Principal; and upon Payment of all Arrears then due upon their yearly Sums for Charges of Management; then so much of their said Annuity so increased as aforesaid, as shall bear Proportion to the Monies so paid in Part of the Principal, shall cease and be abated.

LX. *Seç.* 60. After such Redemption, so much of the several Duties, Revenues and Incomes, as were by this Act applicable thereunto, shall be understood to be redeemed by Parliament,

Parliament, and shall not be issued to any Use without Authority of Parliament: Nevertheless the Corporation shall remain for ever, and shall enjoy all their Forts, Factories, Acquisitions, Lands, &c. and also all Lands, Tenements and Herditaments, purchased in *Great Britain*, not exceeding 1000*l.* *per Annum*, and all Abilities, Capacities, Powers, &c. whereto they are, or before the making of this Act, were entitled by former Acts, Grants, or Charter now in Force; all which are by this Act confirm'd and made effectual to them and their Successors. And the same Company, without having any Share or Interest in the said yearly Funds, after the same shall be redeemed, shall have the sole and exclusive Benefits of Trade, in and to the *South-Seas*, and elsewhere; and such Power of Trade in the Fishery, as by any Act now in Force is directed; and all other Benefits, Powers, Privileges and Advantages (the Annuities to them payable after Redemption, only excepted) as if such Redemption were not made.

LXI. *Seç. 61.* All the Abilities, Capacities, Powers, Exemptions, Privileges, Advantages, &c. and all Pains of Death, and other Penalties, Disabilities, &c. and all Rules, Directions, Methods, Articles and Matters whatsoever, which by former Acts, or any Charter under the Great Seal of *Great Britain*, are enacted or granted concerning the Company, or Persons employ'd under them, (being now in Force, and not hereby determined or altered) shall for ever continue, and be put in Execution, for securing the yearly Funds, &c. and the Possessions, Trade, &c. of the Corporation, as fully and effectually, as if the said Abilities, &c. Pains of Death, and other Penalties, &c. Benefit of Trade, Rules, &c. were repeated and re-enacted in this Act.

LXII. *Seç. 62.* Provided, That this Act shall not hinder the Payment of the yearly Sum of 700,000*l.* during his Majesty's Life, for Support of his Household, and the Honour and Dignity of his Crown; or any Part of the Annuities granted by his Majesty out of the same, to the Prince of *Wales*, or his Trustees; or of the 4000*l.* payable yearly out of the aggregate Fund, to the Sheriffs of *England* and *Wales*, for defraying the Charges of taking forth their Letters Patents, passing their Accounts, and obtaining their *Quietus's*.

LXIII. *Seç. 63.* Proprietors of Pay-Tickets, belonging to the Lottery 1710, which were not subscribed pursuant to the former Act, being possess'd of as many of them as (in Case the Numbers thereof were not broken or interrupted) would entitle them to Annuities for 23 Years, upon producing the same; the Bearers thereof shall be admitted to contract for the Price of such Annuities: Which Annuities
may

may be taken in by Purchase or Subscriptions, as if all the Tickets for every such Annuity were of the same Number without being interrupted or broken.

LXIV. Sect. 64. Several of the Proprietors of the said Pay-Tickets, having sold or disposed of their Interest in one, two, or three Years succeeding Payments, and having all the other Pay-Tickets for the Residue of the Term of 23 Years, may subscribe that whole Term, and all the Pay-Tickets for the same, paying to the Persons appointed to take in those Tickets the full Amount of such Pay-Tickets so disposed of, in Trust to pay such as shall have Right to, and be in Possession of the same, when the Money for those Tickets shall be demanded; and delivering up all the rest of those Tickets for the Term so subscribed for.

LXV. Sect. 65. The Managers and Directors may settle, and adjust the Properties of any Tickets in the two Lotteries of 5 G. not hitherto adjusted: Provided the Persons possessed thereof appear before the Managers, on or before 25 Dec. 1720. And the Managers shall certify, not only the Properties in all such Tickets as shall be claimed and adjusted before them; but also in all such other Tickets, the Properties whereof have been before claim'd and adjusted, but not certified, as the respective Acts have directed.

LXVI. Sect. 66. If the Sub-Governor, Deputy-Governor, Directors, Managers, Assistants, or other Members of the Company, shall purchase any Lands or Revenues belonging to the Crown, upon the Account of the Corporation, or lend Money by Way of Loan or Anticipation, on any Branch of the Revenue, now or hereafter to be granted, or belonging to the Crown, other than such Parts only on which a Credit of Loan is granted by Parliament, such Sub-Governor, &c. being lawfully convicted of consenting, agreeing, or approving of such lending, &c. shall for every Offence, forfeit treble the Value of the Money so lent: One Fifth whereof to the Informer; to be recover'd in the Courts at *Westminster*, by Action of Debt, &c. wherein no Protection, &c. shall be allow'd, or more than one Imparlance; and the Residue to be disposed of towards Publick Uses, as shall be directed by Parliament.

LXVII. Sect. 67. The several Sums of 4,156,306*l.* 4*s.* 11*d.* and the Sums to be paid after the Rate of 4 Years and a Half's, and one Year's Purchase, to be paid into the Exchequer by the *South-Sea Company*, (over and above the Monies of the sinking Fund, by this Act directed to be apply'd for lessening publick Debts and Incumbrances) shall, as fast as received, be issued and applied in Manner following, *viz.* Out of the first Monies so to be paid into the Exchequer, such publick
Debts

Debts and Incumbrances, carrying Interest at 5*l. per Cent.* or more, incurred before 25 *December* 1716, founded on former Acts of Parliaments (not being Part of the Company's Capital Stock) as are now redeemable, or may be redeemed before 25 *Dec.* 1722, shall be paid off in the first Place: Then all the Remainders of the said Sums shall be apply'd towards paying off so much of the Capital Stock of the Company as shall carry Interest at 5*l. per Cent.* And the Treasury are to cause all the Monies arising of the said Sums to be apply'd in the Manner hereby prescribed; and upon every such Payment, or reserving Money in the Exchequer to make such Payment, a proportional Part of their Annuity, or increased Annuity, shall determine.

LXVIII. *Seet.* 68. So much of the Monies arising before 24 *June* 1727, out of the Overplus Monies called the Sinking Fund, (with the Increase thereof) as shall remain in the Exchequer, after discharging so much as remains unsatisfied of the Sum of 520,000*l.* mention'd in an Act of 5 *G.* for cancelling such Exchequer-Bills as are therein mentioned; and after discharging such Payments as shall be charged on the Sinking Fund, or the Increase thereof, by another Act of this Session; and after paying off such publick Debts and Incumbrances, carrying Interest, or an Annuity at 5*l. per Cent.* or higher, founded upon former Acts, (not being Part of the Capital Stock of the Company) as may be redeemed before 24 *June* 1727, shall be applied at the End of every Year, as far as the same will extend, by even Sums of 100,000*l.* at a Time, towards paying off Part of the Capital Stock of the Company, carrying Interest at 5*l. per Cent.* and upon every such Payment, a proportional Part of their yearly Fund payable at that Rate for so much of their Capital Stock, shall cease; and the Treasury shall cause the Monies so arising of the Sinking Fund to be applied accordingly. *See the Remainder of this Act in Tit. Exchequer-Bills.*

LXIX. *Stat.* 6 *G. c.* 11. *Seet.* 50. If any Person shall forge or alter any Receipt for Subscriptions, or any Warrant for Dividends, under the Hands of the Officers of the South-Sea Company, or any Endorsement or Writing thereon or therein, or shall tender any such forged or alter'd Receipt or Warrant, or any Receipt or Warrant with such counterfeit Endorsement or Writing thereon or therein, knowing the same to be so forged, &c. to the Company or any of their Officers; or shall offer to alienate or dispose of the same, knowing as before, and with Intent to defraud the said Company, or any other Person, Bodies Politick or Corporate, every such Offender (being lawfully convicted thereof)

of) shall be adjudged a Felon, and suffer Death without Benefit of Clergy.

LXX. Stat. 7 G. c. 1. Whereas Sir *John Fellows* Bart. the present Sub-Governor, *Charles Foye* Esq; Deputy-Governor, and *William Astell* Esq; Sir *Lambert Blackwell*, Sir *John Blunt*, Sir *Robert Chaplin* Baronets, Sir *William Chapman* Knt. and Baronet, *Robert Chester*, *Stephen Child*, *Peter Delaport*, *Francis Eyles*, *James Edmondson*, *Edward Gibbon*, *John Gore* Esqrs. Sir *William Hammond* Knt. *Francis Hawes*, *Richard Horsey*, *Richard Houlditch* Esqrs. Sir *Theodore Janssen* Knt. and Bart. Sir *Jacob Jacobson* Knt. *Arthur Ingram* Esq; Sir *John Lambert* Bart. Sir *Harcourt Master* Knt. *William Morley*, *Ambrose Page* Esqrs. Colonel *Hugh Raymond*, *Samuel Read Jun.* *Thomas Reynolds*, *Jacob Sawbridge*, *William Tillard*, and *John Turner* Esqrs. Directors of the *South-Sea Company*; and also *Robert Knight* Treasurer or Cashier, *Robert Surman* Deputy Cashier, and *John Grigsby* Accountant to the said Corporation, in Confederacy with the said Sub-Governor, &c. under Colour of the Act 6 G. c. 4, have contrived and carried on many notorious, fraudulent and indirect Practices, contrary to the Intention of the said Act, to the great Detriment of the Publick, and in Breach of their Trust, and to the manifest Wrong of great Numbers of his Majesty's Subjects; therefore to the End that their Persons and Estates may be secured so as to be liable to Justice in Parliament, it is enacted,

Sec. 1. That the said Sub-Governor, &c. or any of them, shall not go out of this Kingdom for the Space of one Year, from 8 Dec. 1720, and till the End of the then next Session of Parliament; and every of them shall, before 8 Feb. 1720, severally enter into Recognizance to his Majesty, with two or more Sureties, before one of the Barons of the Exchequer, in the Penalty of 100,000*l.* for every of themselves, and of 25,000*l.* for every of their Sureties, on Condition, that if such of the said Sub-Governor, &c. as shall enter into such Recognizance, shall not go out of this Kingdom as aforesaid, then the Recognizance shall be void, &c. For the taking, entring and enrolling of which Recognizance, the Barons and other Officers, shall take no more than 10*s.* besides the Stamp-Duties: And if they shall not enter into such Recognizance, every of them so neglecting, shall, by any two of the Barons, be committed to the Fleet, without Bail or Mainprize, till the End of the said Year, and of the next Session of Parliament, or till they shall enter into such Recognizance; and any two of the Barons are authorized to issue their Warrants for that Purpose: And if any of them shall, during the said Time, go

out of this Kingdom, the Offenders, and every Person knowingly aiding to such Departure, shall be adjudged guilty of Felony, and suffer Death as Felons, and forfeit to the Crown, their Lands, Goods, &c.

6 *Mod.* 291.

LXXI. *Seff.* 2. Every of them the said Sub-Governor, &c. shall, before 25 *March* 1721, deliver in upon Oath before one of the Barons, two several true Particulars and Inventories, of all and singular the Real and Personal Estate, of which he was possessed or entitled to in his own Right, and of which any other Person was seiz'd in Trust for him, or to his Use, on 1 *June* 1720, or at any Time after, (his own and his Wife and Children's necessary wearing Apparel only excepted.) And if the Person delivering in such Inventories, or any other in Trust for him, with his Privy, since the said 1 *June*, hath alien'd, transferred, or otherwise disposed of any Part of his Estate, then the Inventories shall contain a true Account thereof, and to what Persons by Name, at what Time, and whether for any, and what Consideration, either paid down or secured to be paid.

LXXII. *Seff.* 3. The Barons of the Exchequer shall, within convenient Time after such Inventories shall be deliver'd in, deliver one Duplicate thereof to the Lord Chancellor, to be laid before the House of Peers, and one other Duplicate thereof to the Speaker of the House of Commons, to be laid before that House, in Case a Parliament be then sitting; and if not, then as soon as may be in the next Session: And if on Inspection of such Inventories by the Barons, it shall appear, that any of them are evasive or uncertain; or if Signification be made from either House of Parliament, that a further Examination shall be thereupon had; or if Information be given on Oath to any of the Barons, of any Concealment, Omission, or Falsity in such Inventories; then the Lord Chief Baron or Barons, or any two of them, are required to examine on Oath the Person delivering in such Inventories, upon such Interrogatories, touching all his Estate, Real and Personal, and such other Things as may tend to disclose his Estate, or any secret Grants or Disposition thereof, as they shall think meet; and may summon before them the said Sub-Governor, &c. at such Times and Places as they shall think proper; and in Default of Attendance, may issue their Warrants to apprehend and bring before them any of the said Directors, &c. and if thereupon any of them shall refuse to be re-examined, and to answer fully to every Interrogatory, any two of the Barons shall commit them to the Fleet without Bail, till they submit: And if any of them shall refuse to deliver in such Inventories, or shall not, within eight Days after his being
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committed, submit to be examined, or shall be guilty of any wilful Concealment, Omission, or Falsity, in any such Examination, he shall, in every such Case, be adjudged guilty of Felony, &c.

LXXIII. *Señ. 4.* If any Person known or suspected to have or detain any Part of the said Directors, &c. Estate, or to be able to give Information concerning the same, or to be indebted to or for the Benefit of any of them, shall, after Summons, neglect or refuse to appear before the Barons, at the Time appointed, having no Impediment, such as shall be allow'd by two of the said Barons, or shall refuse to be sworn, or to answer such Interrogatories as shall be administred to him, then any two of the Barons are to issue their Warrant to apprehend and bring him before them, and to commit him to the Fleet without Bail, till he submit to be examined.

LXXIV. *Señ. 5.* The said Sub-Governor, &c. shall, for one whole Year, from 5 Jan. 1720, and till the End of the then next Session of Parliament, be disabled from, and made incapable of conveying, aliening or incumbring any Lands, &c. to which they, or any in Trust for them, are entitled; and also from assigning or making over any of their Personal Estate, in Trust for themselves, their Wives and Children; and also from otherwise disposing of any of their Personal Estate, except for the necessary Subsistence of themselves and Families, or for paying just Debts contracted before 5 Jan. 1720, except perishable Goods.

LXXV. *Señ. 6.* Proviso, This Act shall not disable them from disposing of their Estates by their last Will, in Case any of them shall happen to die during the Time aforesaid; but subject to the Justice and Disposition of Parliament.

LXXVI. *Señ. 7.* The said Sub-Governor, &c. shall not during one whole Year, from the said 5 Jan. 1720, and till the End of the then next Session of Parliament, convey any of their Goods or Effects out of this Realm, other than Ships, and Shares of Ships whereof they were possess'd on the said 5 Jan. and other than for paying just Debts contracted before that Day, and which shall be accordingly paid with such Goods, &c. on Pain that every of them so offending, and every other Person knowingly assisting therein, shall be adjudged guilty of Felony, &c.

LXXVII. *Señ. 8.* All Persons within this Kingdom, who shall have accepted of any Trust, or shall conceal any Estate, Real or Personal, of or for any of them the said Sub-Governor, &c. and shall not, before 24 June 1721, discover such Trust and Estate in Writing to the Lord Chief Baron, or one of the Barons, shall forfeit treble the Value

of the Estate so concealed; one Moiety to the Crown, the other to the Prosecutor, to be recover'd by Action of Debt, &c. with Costs to the Plaintiff, and shall suffer Imprisonment for one Year, without Bail or Mainprize.

LXXVIII. *Señ. 9.* Every Person who shall, before 29 *Sept.* 1721, voluntarily come before one of the Barons, and make a true Discovery in Writing on Oath, of any Part of the Real or Personal Estate of any of them the said Sub-Governor, &c. which shall have been concealed, and not inserted in the Inventory above directed, shall be allowed after the Rate of 20 *l. per Cent.* according to the Value of such Estate or Effects, being in any Part beyond the Seas; and after the Rate of 10 *l. per Cent.* if within this Kingdom; to be paid out of the said Estate or Effects; or to be recovered by Action of Debt against the Person whose Estate shall be so discovered.

LXXIX. *Señ. 10.* All the Real and Personal Estate of any of them the said Sub Governor, &c. which shall be forfeited and recovered by Virtue of this Act, shall be paid into the Exchequer, and applied for the Benefit of the *South-Sea Company.*

LXXX. *Señ. 11.* This shall be deemed a publick Act, to be judicially taken Notice of by all Judges, Justices, and other Persons whatsoever.

LXXXI. *Stat. 7 G. c. 2. Señ. 1.* Enacted, That Sir *John Fellows* Bart. Sub Governor, *Charles Foye* Esq; Deputy-Governor; and *William Astell* Esq; &c. Directors of the *South-Sea Company* (whose Names see above, Par LXX.) shall be, and are hereby disabled to hold or enjoy any Office belonging to the said Company, after the respective Days on which the next Election to the Offices of Sub-Governor, Deputy-Governor and Directors shall or ought to be made; and every of them, at and from such respective Times are made incapable to be elected into, or have, any of the said Offices, or any Office belonging to the said Company, or to the *East-India Company*, or the *Bank of England*, or to take any Profit or Advantage by Reason of any such Office.

LXXXII. *Señ. 2.* None of the afore-named Persons, shall be capable of giving their Vote at the next, or any ensuing Election for Sub-Governor, Deputy-Governor or Directors of the *South-Sea Company*, *East-India Company*, or *Bank of England.*

LXXXIII. *Stat. 7 G. c. 5. Señ. 1.* Enacted, That at some Time or Times between 24 *June* 1721, and 25 *Dec.* 1721, the *South-Sea Company* shall be, and are enabled, by one or more Indentures under their Common Seal, and at their

their own Costs and Charges, in due Form of Law, to assign, and transfer to the Governor and Company of the Bank of England, and their Successors, such Share of their Capital Stock, carrying an Annuity at 5 *l. per Cent.* payable at the Exchequer, as shall be agreed upon between the said Companies, and in such Indentures shall be specify'd; together with so much of their Annuities, as after the Rate of 5 *l. per Cent.* shall bear Proportion to such Share of Stock so transferred, so as such Shares do not in the whole exceed 9,000,000 *l.* and so as the proportional Annuities which are to attend the same, do not in the whole exceed 450,000 *l. per Annum*; to be paid out of such Duties as by 6 G. c. 4, are charged with the Annuities of the *South-Sea Company*; by such Proportions out of each Duty, by weekly Payments, and in such Manner, as in such Indentures shall be agreed; and the Bank shall accept such Transfers, and the Shares of Stocks so transferred shall be added to the Capital of the Bank, and shall be deemed to be ingrafted into the same for the Increase thereof.

LXXXIV. *Señ. 2.* Like Clause for transferring nine Millions of the *South-Sea Company's Capital Stock*, into that of the *East-India Company*.

LXXXV. *Señ. 3.* After such Transfers, the Bank and the *East-India Company*, shall enjoy the said Shares in Stock, and the respective Annuities which shall have been transferred to them, but subject to such Reducement, till the Redemption thereof, pursuant to the Proviso'es herein after contained in that Behalf. And the said Shares and Annuities shall be free and clear of and from the Payment of any Part of the 4,156,306 *l. 4 s. 11 d.* and the Rates of 4 Years and Half's Purchase, and one Year's Purchase mention'd in the Act of 6 G. c. 4, to be paid into the Exchequer for the Use of the Publick; and of and from the Burthen and Charge of circulating Exchequer-Bills, pursuant to that and another Act of the same Year; and of and from all Debts incurred by the *South-Sea Company* to the King or any others; and of and from all Bonds, Covenants, &c. which are or shall be given by the same Company for such Debts; and of and from all Accounts, Judgments and Incumbrances whatsoever, whereto the *South-Sea Company* now is, or hereafter shall be liable, by Reason of any Thing already done, or to be done at any Time before the making such Transfers to the Bank and *East-India Company*.

LXXXVI. *Señ. 4.* The *South-Sea Company* shall have and enjoy their whole Capital or Joint Stock, and all the Annuities attending the same, till some Assignment or Transfer shall be made thereof pursuant to this Act; and after the making of any such Assignments or Transfers, they shall en-

joy all such Parts of their Capital Stock, and of their Annuities, as shall remain unassigned, till Redemption by Parliament.

LXXXVII. *Señ. 5.* The *South-Sea* Company, and their whole Capital Stock, and all the Annuities attending the same, till some Assignment or Transfer of Part thereof shall be made in Pursuance of this Act; and afterwards, the same Company, and all such Parts of their Capital Stock and Annuities as shall remain unassign'd, shall be subject and liable to the Payment of the said 4,156,306 *l. 4 s. 11 d.* and the said Rates of 4 Years and a Half's Purchase and one Year's Purchase, and to the Burthen and Charge of circulating the said Exchequer-Bills, and to all their Debts, Bonds and Securities, and to all Accounts, Actions, Suits, Judgments, &c. and Incumbrances whatsoever, whereto the said Company now is, or hereafter shall be liable, by Reason of any Thing already done, or hereafter to be done by their Order, Neglect, Default, or Procurement, as if this Act had not been made.

LXXXVIII. *Señ. 6.* The Company shall hold and enjoy the Sum of 9,397 *l. 9 s. 6 d. per Annum*, and such farther Sums as by 6 G. c. 4, shall be computed and allowed for Charges of Management, till some Assignment shall be made of Part of their Capital Stock and yearly Funds in Pursuance of this Act; and after the making of any such Assignment, they shall enjoy the said Sums, so long as the same shall be payable, except such Parts thereof, as pursuant to any Agreements to be specify'd in the aforesaid Indentures, shall be assign'd to the Bank of *England* and *East-India* Company; and after such Assignments, those two Companies shall have such Parts thereof, as shall be so assigned to them, so long as the same shall be payable; and the *South-Sea* Company shall enjoy the Residue.

LXXXIX. *Señ. 7.* All the Duties which by the Act 6 G. c. 4, were charged with the Payment of the *South-Sea* Company's Annuities, or any Additions which were to be made thereto, or with the Payment of any Monies for Charges of Management, shall be brought into the Exchequer for the Purposes in this Act, and shall be distinctly enter'd in Books to be kept in the Offices of the Auditor of the Receipt and Clerk of the Pells, to which free Access shall be had without Fee.

XC. *Señ. 8.* The said Auditor and Clerk of the Pells, shall severally keep one other Book, in which shall be enter'd so much thereof, as shall be issuable to the *South-Sea* Company for their Annuities, and for their Proportions of the Charges of Management; and one other Book for entring so much thereof, as shall be issuable to the Bank; and another Book

Book for so much thereof as shall be issuable to the *East-India* Company, for their respective Annuities and Proportions of the said Charges of Management; and all the Proportions coming into the said Receipt for the said several Purposes, shall be kept apart from all other Monies.

XCI. Sect. 9. All the Monies so kept apart are hereby appropriated, and shall be issued and applied for Payment of such Sums, as according to the Tenor of this Act, shall, (after such Assignments) be payable to the *South-Sea* Company, to the Bank, and to the *East-India* Company, respectively, and to no other Use: And the Officers in the Exchequer, who shall make any wilful Delay in issuing or paying the same, or be guilty of misapplying any the said Monies, shall be forejudged of their Offices, be render'd incapable to serve the Crown in any Employment of Trust or Profit, and be liable to pay double the Value of any Sum so wilfully delay'd, or misapply'd, to such of the said Companies as shall be injured thereby; to be recovered by Action of Debt, &c.

XCII. Sect. 10. The several Annuities payable to the said Corporations, shall be accounted due quartely, at the four most usual Feasts in the Year, by equal Portions, till *Midsummer* 1727, and from thenceforth at the Rate of 4 *l. per Cent. per Annum*, till Redemption: Which Payments so growing due quarterly, may be satisfy'd by weekly or other Payments, as is herein after directed; and Orders shall be made forth by the Treasury for Payment thereof; and such Orders, after signing thereof, shall be good in Law, and not determinable on the Death or Removal of any Commissioner of the Treasury, or High Treasurer; nor shall the Treasury have Power to revoke or make void the same.

XCIII. Sect. 11. Weekly, or otherwise, as the Monies intended by this Act for the said Payments, shall be brought into the Exchequer, such Monies shall be issued on such Orders for discharging the several Annuities of the said Corporations, and the said Allowances for Charges of Management, so as such weekly or other Payments, do not exceed the Sums which shall grow due at the End of such Quarter.

XCIV. Sect. 12. If the Monies so brought into the Exchequer, shall not be sufficient to compleat the Payment at the End of any Quarter, the Deficiency of such Quarter shall be supplied out of the like Monies to arise in any subsequent Quarter.

XCV. Sect. 13. All Persons, Bodies Politick and Corporate, who at the Time of making any such Assignment or Transfer by the *South-Sea* Company to the Bank, shall be entitled in their own Right, or in Trust for others, to any

Shares in the Capital Stock of the *South-Sea Company*, shall be deemed to have a Share in the Capital so assigned, bearing the same Proportion to the whole Stock so assigned, as their particular Stock in the Capital of the *South-Sea Company*, did bear to the whole Capital of the same Company, at the Time of making such Assignment; and shall be entitled to a Share in the whole Capital Stock of the Bank, at the Rate of 120 *l.* per Cent. i. e. every Proprietor for every 120 *l.* Stock, which he shall have in the Sums so assigned from the *South-Sea Company* to the Bank, shall, in Lieu thereof, be entitled to 100 *l.* in the whole increased Capital of the Bank, and proportionably for greater or lesser Sums, and shall from thenceforth be reputed a Member of the Bank: And the Governor and Company of the Bank of *England*, together with such Proprietors so incorporated, shall continue one Body Politick and Corporate, by the Name of the Governor, &c. with such Capacities and Powers, and subject to such Rules, Restrictions, &c. as are established concerning the Bank of *England*, by any Laws now in Force. *The same verbatim for Shares assign'd by the South-Sea Company into the Capital Stock of the East-India Company.*

XCVI. *Señt.* 14. The *South-Sea Company*, when they make any such Assignments of Part of their Capital to the Bank, shall deliver to the Accountant General of the Bank, a Schedule in Parchment, under the Common Seal of the Company, of all the Proprietors to whom the Stock so assign'd shall then belong, and the several Proportions of such Proprietors therein; and shall cause the same Proportions to be debited in the Books of the *South Sea Company*; and on Delivery of the Schedules, all Proportions specify'd therein, shall be added to the then Capital of the Bank; and every Member of that Corporation shall have Credit in the Books of the same Corporation, for his Share in the increased Capital, and in all Dividends and Profits to attend the same, after their being so taken in.

XCVII. *Señt.* 15. If the Proprietors of the Annuities and publick Debts, enumerated in 6 *G. c.* 4, shall by due Course of Law, be released from their Subscriptions, then the Assignment to be made in Pursuance of this Act to the Bank and *East-India Company*, as to so much of the Capital mention'd in such Schedules to belong to such Proprietors in Respect of such Annuities or Debts, shall be void; and from thenceforth the Annuities hereby intended to be payable to either of the said Companies, in Respect of such Capital, shall cease; and such Proprietors shall not be deemed Members of those Corporations, or to have any Dividends or Profits in their Capital Stocks.

XCVIII. Sect. 16. The Sum of 20 *l.* Part of the 120 *l.* in *South-Sea* Stock, so to be transferred to the Bank, shall go wholly to the common Benefit of all the Proprietors of the increased Capital Stock of the Bank, and shall be proportionably divided amongst them, or otherwise disposed of, as in a General Court shall be ordered; and in Respect thereof, and of the remaining 100 *l.* every Proprietor of 120 *l.* in the Capital of the *South-Sea* Company, so transferred to the Bank, shall be entitled to a Share of 100 *l.* in the so increased Capital of the Bank; and so proportionably.

XCIX. Sect. 17. The *South-Sea* Company, when they make any Assignments of their Stock to the *East-India* Company, shall deliver to the Accountant General of that Company, a Schedule in Parchment under the Common Seal of the Company, of all the Proprietors to whom the Stock so assigned shall then belong, and the several Proportions of such Proprietors therein; and shall cause them to be debited in the Books of the *South-Sea* Company; and those Proportions shall be then added to the Capital of the *East-India* Company; and every Member in that Corporation, shall have Credit in the Books thereof, for his Share in the so increased Capital, and in the Profits to attend the same, after their being so taken in.

C. Sect. 18. As to the 20 *l.* Part of the 120 *l.* of the *South-Sea* Stock, to be transferred to the *East-India* Company, the same shall be disposed of in Manner and to the Uses following, viz. 640,000 *l.* Part thereof, being after the Rate of 20 *l.* per Cent. on the said *East-India* Company's Capital Stock of 3,200,000 *l.* shall be an Addition to the said Capital; so that every Proprietor of 100 *l.* in the said Stock of the present *East-India* Company, shall, after such Addition, be entitled to 20 *l.* more in the said Stock, thereby making his said 100 *l.* to be 120 *l.* and so proportionably: And as to the Remainder of the said 20 *l.* per Cent. being 860,000 *l.* *South-Sea* Stock, the *East-India* Company may, after the said Ingraftment, distribute the same as so much Stock among all the Proprietors of the whole Stock, or dispose of the same for their common Benefit, as the said Company, in a General Court, shall direct.

CI. Sect. 19. The respective Members, who have Shares in the *South-Sea* Capital, which shall not be assign'd to either of the other Corporations, may assign or transfer their Shares in the Books of the Company, or devise the same by Will, as fully, and in such Method, as they might have done, if this Act had not been made. And after the making of any Assignment or Transfer of Stock pursuant to this Act, to the Bank or *East-India* Company, the respective Mem-

bers of those Corporations may assign their Shares as formerly.

CII. *Señ. 20.* All Privileges, Exemptions and Advantages, and all Rules, Restrictions, &c. contain'd in, or founded on any Acts or Charter, now in Force, concerning the Capital Stock or yearly Funds of the *South-Sea Company*, shall be applied and extended to such Stock and Funds, as shall belong to that Company, not being such Parts thereof, as shall be assign'd pursuant to this Act: And all Privileges, &c. founded on Acts or Charters now in Force, concerning the Bank or *East India Company*, shall be extended to their increased Stock and Annuities.

CIII. *Señ. 21.* All Abilities, Capacities and Powers, and all Penalties, Forfeitures and Disabilities, and all other Matters whatsoever, which by former Acts or Charters founded on them, are enacted, granted or established, to or touching the *South-Sea Company*, the Bank of *England*, and the *East-India Company* (being now in Force, and not hereby altered) shall be continued and put in Execution, for securing their several Possessions, Trade, and other Effects, and for governing their Affairs, as fully as if the same Abilities, &c. were re-enacted in the Body of this Act.

CIV. *Señ. 22.* Nothing herein shall hinder the Payment of any Part of the yearly Sum of 700,000 *l.* settled during his Majesty's Life, for Support of his Household, &c. or any Part of the Annuities granted to the Prince of *Wales* out of the same, or the Payment of the yearly Sum of 4000 *l.* to Sheriffs of *England* and *Wales*, for defraying the Charges of taking forth their Letters Patents, &c.

CV. *Señ. 23.* At any Time after *Midsummer 1727*, on Repayment by Parliament to the *South-Sea Company*, of the Sum of the Capital Stock, which shall then belong to that Corporation, without any Deduction, and on Payment of all Arrears of their Annuities, payable in Respect thereof, and of the Sums payable for Charges of Management; then their Annuities and said Sums for Charges of Management shall cease and determine.

CVI. *Señ. 24, 25.* At any Time after *Midsummer 1727*, on Repayment by Parliament to the Bank of *England*, and *East India Company*, of the whole Capital Sums, which shall be assigned or transferred, or then belong to them, from the *South-Sea Company*, and on Payment of all Arrears of their Annuities payable in respect thereof, and of all the arrears of their Parts of the Allowances for Charges of Management; then their said Annuities, &c. shall from thenceforth cease.

CVII. Sect. 26. At any Time after *Midsummer 1727*, on Repayment by Parliament, to the *South-Sea Company*, of any Sum, not less than 500,000 *l.* at a Time, in Part of the Principal Monies of the Capital Stock then belonging to the said Company, and on Payment of all Arrears of their Annuities, or so much thereof as shall bear a Proportion to the Principal Sums remaining unsatisfy'd, and on Payment of all Arrears then due for their Part of the Charges of Management; then, after every such Payment, so much of their Annuities as shall bear Proportion to the Monies so paid in Part of the said Principal, shall cease and be abated.

CVIII. Sect. 27, 28. At any Time after *Midsummer 1727*, on Repayment by Parliament to the respective Corporations of the Bank of *England*, and *East-India Company*, of any Sums, not less than 250,000 *l.* at a Time, in Part of the Principal Monies of the Capital Stock, which shall be assigned or transferred, or then belong to them from the *South-Sea Company*; and on Payment of all Arrearages then due to them on their Annuities in Respect thereof; or so much of those Arrears as shall bear Proportion to the Principal Sums remaining unsatisfy'd; and on Payment of all Arrears, then due for their Parts of the Allowances for Charges of Management; then, so much of their Annuities as shall bear Proportion to the Monies so paid in Part of the Principal, shall cease and be abated.

CIX. Sect. 29. After the Redemption of the said Annuities, and of the yearly Sums for Charges of Management, so much of the several Duties as were applicable thereto, shall be understood to be redeemed by Parliament, and shall not be issued or applied to any other Purpose without Authority of Parliament.

CX. Sect. 30. The Bank shall continue a Corporation with all the Powers, &c. thereto belonging, till their Shares of Capital Stock which shall be assigned to them from the *South-Sea Company*, and all their Annuities to attend the same, and their Proportion for Charges of Management, shall be redeemed, notwithstanding the Redemption of their other Funds, by which they are established.

CXI. Sect. 31. After the Ingraftments from the *South-Sea Company* to the Bank and *East-India Company*, Persons having any Share, or having a joint Property, not exceeding or amounting to more than 100 *l.* in the Whole, in the Capital Stock of the *South-Sea Company*, or of the Bank or *East-India Company*, may transfer the same in proper Books of the respective Companies, without being chargeable with Stamp-Duties, or any other Fees or Charges in Respect of such Transfers; but shall be exempted

empted therefrom, and from all Penalties and Forfeitures relating thereto.

CXII. *Señ.* 32. The *East-India* Company may borrow Money upon Contracts, Bonds, &c. under their Common Seal, for carrying on their Trade, or for lending Money by Way of Bottomry; so as by the Monies already borrowed, or which they shall hereafter borrow, the whole Sum which they shall owe at any one Time do not exceed the Sum due at that Time from the Publick to the Company, or the Sum of five Millions in the Whole.

CXIII. *Señ.* 33. But it shall not be lawful for the said Company to borrow Money on Credit of their Capital Stock, or yearly Fund, or on any Increase thereof to be made in Pursuance of this Act; or any greater Sums than shall be really laid out for buying of Goods, or Bullion, to be exported for the proper Account of the same Company, or otherwise employ'd in their Trade, or shall be really advanced on the Bottom of any Ship, or on Goods on board any Ship of the said Company, or employ'd in their Service. All which Monies shall be borrowed only on their Common Seal, and shall not be made payable on Demand, or at any Time less than six Months from the borrowing thereof: Nor shall it be lawful for them to discount Bills of Exchange, or other Bills, nor to keep Books or Cash for other Persons, other than only the proper Monies of the same Company.

CXIV. *Señ.* 34. The *South-Sea* Company shall pay into the Exchequer, the Sum of 4,156,306 *l.* 4 *s.* 11 *d.* and also the Sums after the Rates of four Years and a Half's Purchase, and one Year's Purchase (due to the Publick by 6 *G. c.* 4, and thereby made payable within one whole Year from 25 *March* 1721) at the following further Times of Payment, *viz.* One fourth Part at *Lady-Day* 1722; one other Fourth at *Midsummer* 1722; one other Fourth at *Michaelmas* 1722, and the remaining Fourth at *Christmas* 1722; and their Stock and Funds shall be liable thereto.

CXV. *Señ.* 35. If Default be made by the Company in Payment of the said Sums, the Treasury, or the Officers of the Exchequer, are to cause the Money whereof such Default in Payment shall be made, with Interest for the same, after the Rate of 5 *l. per Cent.* to be stoppt out of the Monies which weekly, or otherwise, shall be payable to the Company.

CXVI. *Señ.* 36. All the Monies so paid into the Exchequer, or to be stoppt as aforesaid, shall be applied in Manner following, *viz.* Out of the first Monies so paid or stoppt, such publick Debts and Incumbrances, carrying Interest at 5 *l. per Cent.* or more, incurred before 25 *Dec.* 1716, founded on former

former Acts of Parliament, as were redeemable then, or might be redeemed at any Time, on or before 25 Dec. 1722, shall be redeemed and paid off in the first Place; and afterwards the Remainder shall be applied towards paying off and discharging so much of the Capital Stock, which shall then belong to the *South-Sea Company*, the Bank and the *East-India Company* respectively, as by the Tenor of this, and the said former Act, were to carry Annuities after the Rate of 5 *l. per Cent.* till 24 June 1727, and afterwards at 4 *l. per Cent.* till Redemption; and towards paying off and redeeming so much of the same Annuities, which shall then be payable in respect of the Capital Stock so paid off and discharged: Which Application of the Monies last mentioned, shall be made in Proportion to the respective Quantities of Capital Stock, which shall then appear to belong to every of the said three Corporations respectively; and the Treasury are to cause all the said Monies to be applied accordingly.

CXVII. *Seç.* 37. Upon every such Payment, or reserving such Money in the Exchequer to make such Payment, a proportional Part of the yearly Funds belonging to the said Companies, for which the said Rate of 5 *l. per Cent.* is payable, shall cease.

CXVIII. *Seç.* 38. The *South-Sea Company*, at their own Costs and Charges, on or before 7 June 1722, shall repay into the Exchequer, the Sum of one Million, due for the Exchequer-Bills amounting to the said Sum, made forth by Virtue of the Act 6 *Ç.* c. 10, and which were on 7 June 1720, issued by way of Loan to the said Company, on a Security under their Common Seal, by an Instrument bearing Date 4 June 1720, for Repayment of the same in lawful Money into the Exchequer at the End of one Year, (to be reckoned from the Time of issuing the said Bills, with Interest at 4 *l. per Cent.*) with the Interest due for the same; and on such Repayment, the Monies so repaid, with the Interest, shall be applied in the first Place to the paying off and discharging the said Exchequer Bills, with the Interest due thereon; and the Surplus shall be placed and applied to the same Uses, to which the Monies of the Sinking Fund are to be applied. And an Account of the Monies so borrowed and repaid, and of the Interest thereof, shall be made, as by the said former Act was prescribed: And in Default of Repayment of the one Million with the Interest, according to this Act, the Annuities then payable to the Company, shall be stopt by the Treasury, or by the Officers of the Exchequer, and the said Exchequer-Bills shall be called in and cancelled with the Monies so stopt.

CXIX. *Señ. 39.* After discharging the said Exchequer-Bills and Interest due thereon, and after paying off such publick Debts and Incumbrances, carrying Interest at 5 *l. per Cent.* or any higher Interest, founded on former Acts, as may be redeemed before *Midsummer 1727*, or reserving sufficient Monies for those Purposes; then all the Monies of the Sum of 328,673 *l. 4s. 10d. 2q.* (specify'd in the Act 6 G. 2. 10. to be then remaining in the Exchequer) and all the Monies of the Sinking Fund, and all the Overplus of the Interest-Monies paid by the *South-Sea Company* for the Million lent them, shall be applied towards paying off such Parts of the Capital Stock, then belonging to the *South Sea Company*, *Bank of England*, and *East-India Company*, as carry Annuities at 5 *l. per Cent.* till 24 *June 1727*, and afterwards at 4 *l. per Cent.* till Redemption; and towards redeeming so much of the same Annuities, as shall be then payable in respect of the Capital so paid off; which Application shall be made in Proportion to the Quantities of Capital Stock, which shall then appear to belong to every of the said Companies respectively.

CXX. *Señ. 40.* All the Monies of the Sinking Fund, which after the Application thereof hereby before directed, shall arise at any Time before *Midsummer 1727*, shall be applied at the End of every Year, by even Sums of 100,000 *l.* at a Time, towards paying off the Capital Stocks of the said three Companies respectively, in Proportion to the respective Quantities of the said Stock, which shall then belong to those Corporations respectively; and upon every Payment a proportional Part of their yearly Funds shall cease: And the Treasury are to cause the said Sum of 328,673 *l. 4s. 10d. 2q.* and the Monies of the Sinking Fund, and the Overplus of the said Interest-Monies, to be applied accordingly.

CXXI. *Señ. 41.* If at any Time hereafter Provision be made by Parliament, in the lawful Coins of this Realm, for paying off the said Exchequer-Bills for one Million, the Bills so paid off shall be discharged therewith, and cancelled: And if before 1 *March 1721*, or before the End of the then next Session, coined Monies shall not be raised for discharging them, then all the Monies then remaining of the said Sum of 328,673 *l. 4s. 10d. 2q.* and all the Monies which after such Session shall arise of the Sinking Fund, shall be applied towards discharging the said Bills, till they be compleatly paid off and cancelled.

CXXII. *Stat. 7 G. 2. 28. Señ. 1.* Enacted, That all the Estates, Real and Personal, which the late Sub-Governor, Deputy-Governor, Directors, Cashier, Deputy-Cashier, and Account-

Accountant of the *South-Sea Company* (See their Names above Par. LXX.) and *John Aislaby* Esq; or any Persons in Trust for them, on 1 *June* 1720, or at any Time afterwards, or which *James Craggs* the Elder Esq; or any in Trust for him at the Time of his Decease, was, or were possessed of or entitled to, in Law or Equity, in their own Rights, or to their own Uses, or in Partnership with others, (except as herein afterwards excepted) shall be vested in Sir *John Eyles* Bart. Sir *Thomas Cross* Bart. *John Rudge*, *Matthew Lant*, *Roger Hudson*, *Edmond Halsey*, *John Lade*, *Gabriel Roberts*, and *Richard Hopkins*, Esqrs. appointed Trustees for the Uses in this Act; and the Heirs, Executors, &c. of the same Trustees, from 1 *June* 1720, as to the Estates of the said late Directors, &c. and *John Aislaby*, and from the Day of the Death of *James Craggs* as to his Estate; and shall be adjudged to be accordingly in the actual Possession of the said Trustees, their Heirs, &c. to the Intent the same may be sold, or otherwise applied by the Trustees, or the Survivors of them, their Heirs, &c. for the Uses in this Act: Except the necessary wearing Apparel of them the said late Directors, &c. and of *John Aislaby*, their Wives and Children; and except such Part of the Premises as shall be allowed for the Subsistence of them and their Families, under the Conditions herein after specified; and except such Parts of their Personal Estates as have been, or shall be disposed of, for paying such just Debts as were contracted by them before 5 *Jan.* 1720; and except such perishable Goods as after 5 *Jan.* 1720, and before 25 *March* 1721, have been disposed of by them.

CXXIII. *Sett.* 2. In all Cases where the said late Directors, &c. and *John Aislaby*, or any of them, on 1 *June* 1720, or at any Time after, or where *James Craggs*, at the Time of his Death, were seized of an Estate-Tail in Possession, Reversion or Remainder, in any of the Premises, the same (subject to any precedent Estates therein) shall be vested in the Trustees, and their Heirs, in Fee-Simple, to the End the same may be absolutely sold and applied, according to the Meaning of this Act.

CXXIV. *Sett.* 3. No Trustee shall be capable of acting till he has taken an Oath to the Effect following, viz.

I A. B. do swear, That I will faithfully and impartially, according to the best of my Skill and Knowledge, execute the several Trusts reposed in me by an Act of Parliament, [Intituled, An Act for raising Money upon the Estates of the said late Sub-Governor, Deputy-Governor, Directors, Cashire, Deputy-Cashire, and Accountant of the *South-Sea Company*, and of *John Aislaby* Esquire, and likewise of *James Craggs* senior, Esquire,

Esquire, deceas'd, towards making good the great Loss and Damage sustained by the said Company; and for disabling such of the said Persons as are living to hold any Office or Place of Trust under the Crown, or to sit or vote in Parliament for the future; and for other Purposes in the said Act expressed] *and will likewise, according to the best of my Skill and Knowledge, faithfully and impartially execute all and every the Powers and Authorities in the said Act, so far as they relate to me, as one of the Trustees therein named, without Favour or Affection, Prejudice or Malice; and that I have not received, took, or accepted, nor will, directly or indirectly, receive, take, or accept any Fee or Reward, or the Promise of any Fee or Reward, for any thing whatsoever to be done in Execution of the same Act (except as hereafter is provided;) and that I will not, directly or indirectly, conceal, or cause or procure to be concealed, any Estate or Interest whatsoever intended thereby to be applied to the Uses or Purposes in that Act expressed.*

So help me God.

Which Oath may be administer'd by any of the Barons of the Exchequer; and Memorials thereof shall be enter'd of Record in the same Court.

CXXV. *Señ. 4.* The Trustees shall meet together at some convenient Place in *London, Westminster*, or the Suburbs thereof, as often as necessary, for the better Execution of the Powers and Trusts hereby reposed in them; and the major Part of them then present, shall agree upon, and set down in Writing, such Rules and Instructions, as they shall judge necessary for the Guidance of themselves, their Officers and Servants; and may subdivide themselves and the Trustees not then present, into less Numbers; but such Distribution is not to restrain any of them from acting, when, and as often as they shall have an Opportunity for that Purpose; And any three of them may, with the Approbation of the Court of Directors of the *South-Sea Company*, appoint such Persons as shall be thought proper, to be their Clerks, Solicitors, Surveyors, Messengers, and other necessary Officers to be employ'd under them; and allow them such Salaries and Rewards, and such Sums for incident Charges, as by any three of the Trustees, with the like Approbation, shall be thought reasonable, to be paid out of the Monies arising of the Estates hereby vested in them: Which Clerks, &c. are faithfully to perform their Duties, without taking any Thing for their Services, except such Salaries, &c. as shall be allowed them. And every such Clerk, &c. before he enters on the Execution of his Employment, shall take an Oath for his faithful Demeanour; and that he will not take, or accept the Promise of, any Fee or Reward,

Reward, for any thing done by him in the Execution thereof, (except as aforesaid) and that he will not, directly or indirectly, conceal any Estate or Interest by this Act vested in the Trustees: Which Oaths any one of the Trustees may administer.

CXXVI. *Señ. 5.* If any of the Trustees, their Clerks, &c. shall presume to act before they are sworn, he shall forfeit 200 *l.* to the Informer, to be recovered by Action of Debt, &c. And the Trustees, the Survivors of them, and their Heirs, &c. are enabled to use all lawful Means, as well for discovering as recovering all the Estates, Real and Personal, by this Act vested in them, as fully and effectually as the late Directors, &c. might have used, if this Act had not been made.

CXXVII. *Señ. 6.* The Trustees may sue or prosecute for Recovery of the said Estates, by such Action, &c. as shall be proper according to the Nature of the Case, and the Estate sued for, at Common Law or in Equity; and shall be entitled in such Court of Equity, to demand all such Discoveries as they might do, if they were Purchasers upon a valuable Consideration; and may demand a true Discovery of all Incumbrances and Titles which any Way may affect the same, and of all Trusts relating thereto: To which Bills no Plea or Demurrer on Account of any Pecuniary Penalties, to which a Defendant shall subject himself by making such Discovery, shall be allowed; but the Defendant shall sufficiently answer the same at large.

CXXVIII. *Señ. 7.* The late Directors, &c. and *John Aislaby*, and the Heirs, &c. of *James Craggs*, shall, on or before 20 *Sept.* 1721, deliver to the Trustees at their publick Office, all such Deeds, Evidences, Muniments, Books, Accounts, Papers and Writings, which they have in their Custody, or may come by without Suit in Law or Payment of Money, whether they concern only the Estates Real and Personal hereby vested, or the same jointly with any other Estates: Which Deeds, &c. together with Schedules thereof signed by them respectively, shall be deliver'd on Oath; and if such Deeds, &c. concern only the Estates hereby vested, or only some Part thereof, they shall be left with them to go along with the Estate; and such of them as concern the said Estates jointly with any other Estate, shall be copied by Order of any two of the Trustees, and afterwards deliver'd to such of them the late Directors, who brought them: And if any of the late Directors, &c. shall refuse, or neglect to bring in the said Deeds, &c. within the limited Time, any three or more Trustees may, by Warrant under their Hands and Seals, commit them to the Common Gaol without Bail, till they deliver on Oath such Deeds, &c. And

all Sheriffs, Bailiffs, Constables, &c. are required to execute such Warrants.

CXXIX. Sect. 8. Any Two or more of the Trustees may inform themselves by Witnesses, on Oath, where, with whom, or in whose Power, any such Deeds, &c. are; and use all such Ways, in Law or Equity, as they shall judge proper for discovering the same, and recovering the Possession of them.

CXXX. Sect. 9. Where any Debts, owing to the late Directors, &c. are secured by Penalties, or due on Accounts not adjusted, any three or more of the Trustees may (with the Approbation of the Company's Court of Directors) make such Compositions touching the same, as shall be thought reasonable: So as the Monies payable on every such Composition, be payable to the Cashire of the Company for the Uses in this Act expressed: And the said Trustees are to use their best Endeavours for getting in all such Debts, owing from Persons within his Majesty's Dominions, or in Foreign Parts.

CXXXI. Sect. 10. The Trustees shall use their utmost Endeavours to secure all the Goods and Chattels Personal, by this Act vested in them, in such Places, and in the Custody of such Persons, as they shall think most proper for preventing the perishing, or any Loss on Imbezilment thereof; and shall cause to be made true Inventories thereof, containing a particular Account of all such Goods, and to which of the late Directors, &c. they did belong, and when, and by whom they were deliver'd to the Trustees, or Persons by them appointed to receive the same; and shall also cause a just Appraisement to be made thereof upon Oath; and according to such Orders as they shall receive from the Court of Directors, they may sell the goods so inventoried and appraised; and they shall cause six Days Notice at least to be given in the *Gazette*, of the Time and Place of such Sale; and the Particulars to be sold shall also be printed and published; and they shall sell the same by Cant or Auction to such Persons as shall bid most; and immediately on such Sale or Contract, they shall cause an Entry to be made in their Books of all their Goods so sold or contracted for, and of the Names and Places of Abode of the Buyers, and the Prices agreed upon; and shall give a Certificate to the Buyers of the Particulars by them bought, the Prices, and Time of Sale; and the Buyer shall thereupon pay to the Cashire of the Company the Prices agreed upon, so as at least one Third Part be paid down in ready Money; and the Trustees being satisfy'd with the Payment of all the Monies, shall forthwith order the Particulars so bought and paid for, to be deliver'd to the Buyer or his Assigns:

Signs: But if any Person who has contracted for such Goods, shall make Default in Payment, he shall forfeit one Third Part of the Sum contracted for, to the Trustees, for the Uses in this Act; and the Trustees shall proceed to a new Sale to any other Person, as if no Sale thereof had been made.

CXXXII. Sect. 11. The Trustees, or any three or more of them, may, by themselves, or such as they shall appoint, enter and take Possession of all the Manors, Lands, Tenements, &c. vested in them, and cause the Rents and Profits thereof to be paid to the Cashier of the Company.

CXXXIII. Sect. 12. The Trustees, pursuant to such Orders and Instructions as they shall receive from the said Court of Directors, may sell the said Estates; that is to say, such of the said Estates for which no Claims shall be enter'd, as soon as conveniently may be; and such for which Claims shall be enter'd, as soon as conveniently may be after such Claims shall be determined: The Sales to be made to any Persons, other than the Trustees or their Officers, or any others in Trust for any of them: The Trustees shall cause publick Notice to be inserted in the *Gazette*, fifteen Days at least, of the Time and Place, when and where they intend to begin to expose to Sale any of the Premises; and at such Time shall expose the same to Sale, in such Parts as they shall think convenient, by Cant or Auction, setting up the same at such Price as they shall think fit: And every Person, who shall bid most above the Price so set, shall be deemed the Purchaser thereof, so as one Fifth Part at least of the Purchase-Money be forthwith deposited in the Hands of the said Cashier. And the Trustees shall, on such Sale or Contract, and on making such Deposit, cause an Entry to be made in their Books of the Estate so sold, and what Estate or Interest they sell therein, and of the Buyer's Name and Place of Abode, and the Prices agreed on; and if the Buyers insist thereon, the Trustees shall give them a Note in Writing under their Hands and Seals, expressing the Particulars by them bought, and for what Estate or Interest therein, and the Price thereof, and the Time of Sale or Contract; and thereupon the Buyer shall pay the Price agreed upon to the Cashier of the Company, at such Time as the Trustees shall appoint; and the Trustees being certified of such Payment, shall execute an Indenture of Bargain and Sale, of the Parcels so bought, to every such Buyer, his Heirs, &c. which Indenture shall express the Consideration paid; and shall thereof acquit every such Purchaser, his Heirs, &c. and shall be enter'd in Books to be provided by the Trustees for that Purpose, and then deliver'd to the Purchaser, who shall cause the Indenture to

be inrolled, within six Months after Date, in Chancery, either in *England, Scotland, or Ireland*, as it concerns any Estate in either of them respectively; for which Inrollment 6 s. 8 d. shall be paid for every Skin of Parchment, and no other Fee be taken.

CXXXIV. *Señ. 13.* Any Persons, (other than the Trustees, their Officers, or Persons in Trust for them) may be Purchasers.

CXXXV. *Señ. 14.* Every Person, his Heirs, &c. making such Purchase, and having such Conveyance, and causing the same to be enrolled as aforesaid, shall be adjudged to be in the actual Seizin and Possession of the Premises so purchased; and the Trustees are to cause Possession thereof to be deliver'd to them, or to whom they shall appoint: And every such Purchaser shall peaceably and quietly hold and enjoy the said Estates against the same Trustees, against the late Directors, &c. and against the said *John Aislavie*, their Heirs, &c. and against all Persons claiming under them by any Conveyance, Right or Title, made or created since 3 Jan. 1720, and against the Heirs, &c. of *James Craggs*, &c. And the Estates so sold (whether Freehold, Copy-hold, or other Interests) shall be holden by the Purchasers thereof, their Heirs, &c. by the like Tenures, and subject to the like Rents, Services, &c. whereby the same were holden at the Times when they were hereby vested in the Trustees.

CXXXVI. *Señ. 15.* If Persons who have contracted for any Purchase, shall not within the Time appointed, pay the Money contracted for, they shall forfeit the Sum deposited, and the Trustees shall proceed to a new Sale.

CXXXVII. *Señ. 16.* If any of the Estates, Real or Personal, hereby vested in the Trustees, shall be sold or convey'd by them, to the Use of, or in Trust for themselves, or any of their Subordinate Officers, the Person accepting such Sale or Conveyance shall forfeit the Estate so purchased, to be recover'd for the Uses in this Act; and also 500 l. to the Informer.

CXXXVIII. *Señ. 17.* It shall be lawful for the Trustees, pursuant to any Resolutions of the Company's Court of Directors to appoint Stewards, Receivers and Bailiffs, upon any the Lands, &c. hereby vested as aforesaid, with Power to them to let the same, and receive the Rents, &c. and to do all other Acts, which are usually done by Stewards, &c. and to allow them Salaries, and such other Sums for Incident Charges, as shall be thought reasonable, out of the Profits of the Estates.

CXXXIX. *Señ. 18.* Every such Steward, &c. before he be capable to perform any Part of his Office, shall take the like

like Oath, as is before prescribed to be taken by the Clerks, &c. and under the like Penalties for Acting before such Oath taken; and shall also give Bond to the Trustees, for a Sum not less than two Years Rent of the Estate, over which he shall be appointed Steward, &c. with sufficient Security for Payment thereof, in Case he shall fail to pay to the Cashier of the Company, at the Times to be specify'd in the Condition of such Bond, all the Monies by him received out of the said Estates; and to give Account of such Sums as shall remain due in the Hands of Tenants: And if the Trustees are satisfied, that such Accountant has duly answered the Monies wherewith he was chargeable, &c. they shall fully discharge every such Steward, &c.

CXL. *Sett.* 19. All Conveyances, Alienations, Settlements and Incumbrances, of any the said Real Estates; and all Assignments, Conveyances, Grants, and Transferences of any the said Personal Estates, made by them the said late Directors, &c. since 5 *Jan.* 1720, shall be deemed fraudulent and void: Except such Dispositions as have been made of Part of their Personal Estates, for the Subsistence of themselves and their Families, or for paying just Debts contracted by them before the said 5 *Jan.* 1720, and except their Dispositions of perishable Goods.

CXLI. *Sett.* 20. Nothing herein shall avoid or impeach any Conveyance, Alienation, Settlement, Incumbrance, Assignment, Lease, or other Disposition of the said Real and Personal Estates, made by the late Directors, &c. after 1 *June*, and before 5 *Jan.* 1720, for a full and valuable Consideration actually paid, or any Debts really contracted or paid, by or to them, before 5 *Jan.* 1720: And all such Conveyances, &c. so made by any of them, and all Payments of Money made to them, at any Time after the said 1 *June*, and before the said 5 *Jan.* shall be good in Law and Equity, as if such Conveyance, &c. had been made, or such Debt contracted or paid before 1 *June* 1720: And all such Personal Estate, sold for a valuable Consideration, between the said 1 *June*, and 5 *Jan.* shall not be deemed vested in the Trustees.

CXLII. *Sett.* 21. All Persons having any Debt contracted or incurred before 5 *Jan.* 1720, justly due to them from the late Directors, &c. or having any particular Estate, Right, Title, Interest, Use, Trust, Office, Annuity, Rent-Charge or other Incumbrance in Law or Equity, in, to, out of or upon any the Estates hereby vested in the Trustees, by or under any Settlement, Conveyance, &c. made before 5 *Jan.* 1720, (except such Debts, Estates, Rights, &c. which might be claimed in Trust for any of them the said late Directors, &c.) may enter their Claims before the
Trustees,

Trustees, within the Times, and in the Manner after mentioned; and in Default thereof, every such Debt, Estate, &c. shall be null and void; and all the Real and Personal Estates hereby vested in the Trustees, shall be absolutely discharged from the same: Which Entries shall be made at the Trustees Office; and if by or for Persons in *Great Britain*, before 25 Dec. 1721; and by or for Persons beyond Sea, before 25 March 1722; Claims for Infants shall be made by their Fathers, Guardians, or any others on their Behalf; and of Females-covert by their Husbands; of Madmen, Idiots or Lunatics, by the Persons in whose Custody they shall be at the Time of entering such Claims: All Claims shall be in Writing, signed by the Parties making the same, or such other Persons as aforesaid, on their Behalf; and such Signing shall be testify'd by two or more Witnesses, who shall subscribe their Names: And every Claimant shall particularly express the Debt claimed, when or how incurred, and what Security for the same; and whether such Debt is really due, and remains wholly unpaid, or how much thereof hath been satisfied in Money, or by Credit taken, or any other Way: And every Claimant in such Entries shall particularly express what Estate, Right, Title, &c. he hath or demands upon any Part of the said Real or Personal Estates, and by and under what Grant, Gift, Settlement, Conveyance, &c. he claims the same; and every such Claim shall be transcribed and enter'd in Books to be kept for that Purpose, without Fee or Charge to the Claimant.

CXLIII. *Sect. 22.* The Trustees shall inform themselves by the Testimony of Witnesses upon Oath, or by the Examination of the Claimants upon Oath, or by the Inspection of Mortgages, Bonds, or other Securities, or any Accounts relating to the Debts claimed, or by Inspection of Grants, Settlements, Conveyances, &c. relating to the Estates or Incumbrances claimed, as soon as conveniently may be, touching such Debts, Estates, &c. and shall make a Report in Writing of their Proceedings, with their Opinions thereon, to the Company's Court of Directors; and if the said Court shall be satisfied in the Justice of such Claims, or that any Debt ought to be paid thereon, or that the Estate claimed ought to be allowed, and shall declare their Satisfaction by any Resolution; and if the Party claimant shall likewise declare in Writing his Acquiescence in such Resolution, before 1 Aug. 1722; then the Trustees shall give Warrant for the Payment of every Debt so liquidated, out of the Monies that shall come to the Hands of the Cashier for the Purposes in this Act; and the Trustees shall likewise, by Writing under their Hands, to be first enter'd in a Book, and then deliver'd to the Party claimant, signify the Allow-
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ance of the Court of Directors, and the Acquiescence of the Party touching such Estate; all which shall be done without Fee or Charge to the Claimant.

CXLIV. *Seft.* 23. The Justices of the King's Bench, and Common Pleas, and Barons of the Exchequer, or any three or more of them, sitting at the same Time and Place, and not otherwise, are authorized to hear and determine all Differences, Disputes, or Controversies, touching Debts, Estates, &c. claimed, and which shall not be adjusted between the Court of Directors and the Claimants within the limited Times, and all Incidents relating thereto: And they are summarily, and without the Formality of Proceedings in Law or Equity, on the Testimony of Witnesses on Oath, Examination of Parties interested, or otherwise, according to their Discretion, to proceed to the Hearing of every such Difference, &c. and their definitive Order therein shall be final, from which there shall be no Appeal or Review, nor any Writ of Error or *Certiorari* lie for the Removal or Reversal thereof.

CXLV. *Seft.* 24. On Complaint made to them by any Claimant (so as such Complaint be made by 25 Dec. 1722) they shall issue out Notes or Warrants under the Hands of any two of them, thereby warning the Trustees to appear before them at the Time and Place in such Note specify'd; and on Appearance of the Trustees, or on Default thereof, and Oath made of due Notice given or left at their publick Office, the said Justices, &c. may proceed to make such final and definitive Order, which shall conclude and bind all Parties, notwithstanding any Coverture, Infancy, Nonsanity of Memory, Absence beyond Sea, or other Disability in any Person concerned: And in all Cases where the Justices and Barons shall find, that any Debt ought to be paid to the Claimant, or that the Estate claimed ought to be allowed, they shall, before 25 March 1723, transmit a Certificate thereof to the Trustees, who shall thereupon give Warrant for Payment of such Debt so certified, out of the Monies as shall come to the Cashier's Hands for the Purposes in this Act: And the Trustees shall cause every such Certificate to be entered in a Book, and an attested Copy thereof to be delivered to the Claimant; and such Payments, Entries and Copies shall be made without Fee or Charge to him.

CXLVI. *Seft.* 25. The Justices and Barons, for the Matters, and according to the Powers relating to the Claims, shall be a Court of Record; and their Judgments shall be recorded in Parchment-Books, and every Judgment shall be signed by three or more of them: Which Books of Records shall remain in some certain Place to be appointed by them, as a perpetual standing Record, to which all

Persons concerned may repair and view the same, and take Copies of such Judgments as shall relate to them: And none of the Justices or Barons, shall take any Fee for any Thing done by them by Virtue of this Act.

CXLVII. *Señ.* 26. But for a Reward of the Officers to be employ'd under them, (which Officers they have Power to appoint) they may order a Table of such reasonable Fees to be made, as may carry on the Purport of this Act.

CXLVIII. *Señ.* 27. The Powers hereby given to the Justices and Barons relating to Claims, and issuing Certificates concerning them, shall continue till 25 *March* 1723, and no longer.

CXLIX. *Señ.* 28. The Trustees shall not, by Colour of this Act, order the Cashier, out of the Monies in his Hands, to make Payments towards the Debts of any the late Directors, &c. beyond the clear Value of his particular Estate.

CL. *Señ.* 29. Every Creditor, who shall be satisfy'd his Debt, out of the Money in the Cashier's Hands, shall, at or before his Receipt thereof, assign over all his Securities for the same, to such Persons as the Trustees shall nominate, for the Benefit of the Trusts hereby reposed in them, or for the better Satisfaction of the Purchasers who may buy the Estates.

CLI. *Señ.* 30. All such Monies as are or shall grow due to his Majesty for publick Revenues, or otherwise, from any of the said late Directors, &c. and the said *John Aislaby*, as shall remain due on 25 *April* 1721, or from the Estate of *James Craggs* at his Death, and do remain unpaid, shall be satisfy'd out of such Monies as shall arise out of their respective Estates, and shall be in the Hands of the said Cashier; which Payments shall be made by Order of the Trustees, upon Certificates thereof from the Commissioners, or other Officers, who have the Care of those Revenues, or before whom they shall be in Charge; and in Default of such Payment, the Barons of the Exchequer may inform themselves by Examination of Witnesses on Oath, or otherwise, of the Sums so due to his Majesty; and being satisfy'd of the Truth thereof, shall give Order to the Cashier to pay the Money so due; which Orders shall be made and obey'd without Fee.

CLII. *Señ.* 31. Every Person indebted to the Estates of the late Directors, &c. shall on or before 25 *Dec.* 1721, give Notice thereof at the Trustees Office, or that Accounts are depending between them, on Pain of forfeiting to the Trustees the Value of the Money which shall be afterwards found to be due: And all Persons having in their Custody,
any

any Goods or Chattels Personal, which belong'd to the late Directors, &c. are to give the like Notice on Forfeiture of the Value thereof: And all Persons, who, as immediate Tenants, &c. under the late Directors, &c. now, or at any Time before 25 Dec. 1721, shall be in Possession of any Lands, &c. hereby vested in the Trustees, shall give the like Notice on Pain of forfeiting three Years Value of the Rents and Profits of such Lands, &c. which shall be concealed for Want of such Notice: All which Forfeitures shall be recover'd by Action of Debt, &c.

CLIII. *Seft.* 32. The said *John Aislaby* shall not depart this Kingdom during the Space of one Year, to be computed from 8 Dec. 1720, and till the End of the then next Session of Parliament; and shall before 20 Sept. 1721, enter into Recognizance to his Majesty, with two or more Sureties, before one of the Barons of the Exchequer, in the Penalty of 100,000 *l.* for himself, and 25,000 *l.* for each of his Sureties, not to depart, &c. For the taking, entring and inrolling of which Recognizance, the Barons and other Officers shall take 10 *s.* only, besides the Stamp-Duty. And if he neglect to enter into such Recognizance, any two of the Barons may commit him to the *Fleet*, till he comply.

CLIV. *Seft.* 33. If any Persons known or suspected to have or detain any Part of the Estates, Real or Personal, of the late Directors, &c. or to be able to give any Information concerning the same, or to be indebted to them, shall, after Summons, neglect to appear before the Barons, to be examined, having no lawful Impediment, to be allowed by any two of the said Barons; or shall refuse to be sworn, or to make Answer to such Interrogatories as shall be administer'd to them, it shall be lawful for any two of the Barons to commit them to the *Fleet* without Bail, till they submit.

CLV. *Seft.* 34. If the late Directors, &c. or *John Aislaby*, shall, after 7 July 1721, during the Space of one Year, from 5 Jan. 1720, or before the End of the then next Session of Parliament, transport any of their Effects out of this Realm, the Person so offending, and all others knowingly aiding therein, shall be adjudged guilty of Felony, and suffer Death without Benefit of Clergy.

CLVI. *Seft.* 35. Persons who have accepted of any Trusts, or shall conceal any Estate of the late Directors, &c. and shall not before 25 Dec. 1721, discover such Trust and Estate in Writing, to one of the Barons, shall forfeit treble the Value of the Estate, Real or Personal, so concealed; one Moiety to the Crown, the other to the Prosecutor; and shall suffer one Year's Imprisonment without Bail or Mainprize.

CLVII. *Sett.* 36. Persons who shall, before 25 *March* 1723, voluntarily come before any of the Barons, and make Discovery in Writing on Oath, of any Part of the Estates Real or Personal, which were of the late Directors, &c. and shall have been concealed, and not inserted in any Inventory delivered in, or on their Examinations, shall be allowed (over and above the Rates allowed by the former Act) a farther Allowance of 10*l.* per Cent. according to the Value of such Estates or Effects so discovered.

CLVIII. *Sett.* 37. Mr. *Aislaby*, his Heirs, &c. shall before 25 *Dec.* 1721, deliver to the Trustees, a true and exact Inventory of all his Real and Personal Estate, which did belong to him, or any in Trust for him, at the Time from which they are hereby vested in the Trustees, or at any Time afterwards till the Exhibiting of such Inventory, and the full and true Value thereof, and what Debts and Incumbrances were then chargeable thereon; and another Inventory, to import what Estates belong'd to him on 1 *Oct.* 1718, and the true Value thereof at that Time, (tho' the same may since have been alienated, &c.) and what Debts or Incumbrances were then chargeable thereon: Which several Inventories shall be deliver'd in on the Oath of the said Mr. *Aislaby*.

CLIX. *Sett.* 38. The Trustees shall carefully examine the Inventories, and may enquire by Examination of Witnesses on Oath, or any other lawful Ways, concerning the same Estates, and the clear Values thereof, at the said respective Times; and if they suspect any Concealment, Omission, or Falsity in such Inventories, they may call before them the said Mr. *Aislaby*, his Heirs, &c. who deliver'd in the same; who shall within ten Days after such Notice, (not having any unavoidable Impediment) appear before the Trustees, who may examine him, his Heirs, &c. on Oath, upon such Interrogatories as they shall think fit, touching the said Estates.

CLX. *Sett.* 39. The Trustees shall, according to the best of their Skill, compute the clear Values of the said Estates, which did, or shall belong to the said Mr. *Aislaby*, or any in Trust for him, at the Time they were vested in the Trustees, or at any Time afterwards; and they shall also compute the clear Value of all the Estates which belong'd to him, or any in Trust for him, on 1 *Oct.* 1718, and make Report thereof in Writing to the Company's Court of Directors; who, before 25 *March* 1722, are to settle and adjust with Mr. *Aislaby*, his Heirs, &c. the whole clear Value of the Estates, which did or shall belong to him, or any in Trust for him, and are hereby vested in the Trustees; and likewise the whole clear Value of the Estates which belong'd to him;

or any in Trust for him, on 1 Oct. 1718; and if the respective Values cannot be adjusted by 25 March 1722, then on Complaint to the said Justices and Barons, either by the Trustees or by the said *J. Aislaby*, his Heirs, &c. they are to hear and determine all Differences concerning the said Estates, and the respective Valuations thereof, and all Incidents relating thereto, at any Time before 25 March 1723.

CLXI. *Seç.* 40. If the Inventories of Mr. *Aislaby's* Estates be deliver'd to the Trustees at their publick Office, by 25 Dec. 1721; and if he do, on Summons, personally appear, and make full Answers to all Interrogatories which shall be administer'd to him pursuant to this Act; and if the clear Value of his Estates shall be settled to the Satisfaction of the Court of Directors, before 25 March 1722, or by the said Court of Record before 25 March 1723, then a Deduction shall be made out of the clear Value of his Estate; not only of so much as the clear Value of the Estate which he had on 1 Oct. 1718, amounted to, but also of so much as in the mean Time shall have been raised for the Purposes in this Act, out of any his Estates, by Virtue of any Clauses herein contained concerning the same.

CLXII. *Seç.* 41. So much clear Money as his Estates Real and Personal shall amount to, after such Deductions, shall be paid by him, his Heirs, &c. to the Cashier of the Company, for the Uses in this Act, within 30 Days after the said Values shall be settled; or Security shall be given by him, his Heirs, &c. within the said Time of 30 Days, to the Satisfaction of the Court of Directors, for Payment thereof, at such Times, and by such Proportions, as shall be agreed upon between him, his Heirs, &c. and the said Court of Directors.

CLXIII. *Seç.* 42. If such Payments shall be made, or such Security given, then all the Estates Real and Personal of him the said *John Aislaby*, hereby vested in the Trustees, (except so much thereof as shall have been raised for the Uses in this Act, and for which Deduction shall have been made as aforesaid) shall be re-vested in the said Mr. *Aislaby*, his Heirs, &c. and from thenceforth so much of this Act, as relates only to the vesting the same Estates in the Trustees, shall be void.

CLXIV. *Seç.* 43. This Act shall not extend to vest in the Trustees, that Part of the Real Estate which belong'd to Mr. *Aislaby* on 1 Oct. 1718, or any Household Goods or Furniture which he now stands possessed of, the same being intended for the Support of himself and Family, till his Particulars to be deliver'd in Pursuance hereof be settled; and then the Value of the same Estates shall be deducted out of the Value of the whole Estates, according to the

Directions of Act; and the remaining Value is to be paid to the Use of the said Company.

CLXV. *Señ. 44.* All Persons, who as Heirs, Executors, &c. or otherwise, on the Death of the said *James Craggs*, or at any Time afterwards, till the exhibiting such Inventories as are herein after mentioned, were, or shall be possessed of any Estates Real or Personal, which belong'd to him, or to any Persons in Trust for him, at the Time of his Decease, shall, before 25 Dec. 1721, deliver to the Trustees one true Inventory, importing what Manors, Lands, Goods, &c. did belong to him, or any in Trust for him, at the Time of his Decease, and the full and true Values thereof, and what Debts and Incumbrances were then chargeable thereon; and one other true Inventory of all the Estates Real and Personal which belong'd to him, or others in Trust for him on 1 Dec. 1719, and the full Value thereof at that Time, (howsoever the same may have been since aliened or disposed of) and what Debts and Incumbrances were then charged thereon: Which Inventories are to be deliver'd in upon Oath.

CLXVI. *Señ. 45.* The Trustees shall carefully examine such Inventories, and inform themselves by Examination of Witnesses on Oath, or any other lawful Ways, concerning the same Estates, and the clear Values thereof; and if they suspect any Concealment, Omission or Falsity, they may summon before them the Persons who deliver'd in the Inventories, and examine them upon Oath on such Interrogatories as they shall think meet.

CLXVII. *Señ. 46.* The Trustees shall compute the clear Values of all the Estates which belong'd to Mr. *Craggs*, or any in Trust for him at the Time of his Decease; and also the clear Value of all the Estates which belong'd to him, or any in Trust for him, on 1 Dec. 1719, and shall make Report thereof to the South-Sea Company's Court of Directors, who are, before 25 March 1722, to settle with the Persons hereby required to deliver in the said Inventories, the whole clear Value of the said Estates; and if the respective Values cannot be adjusted before 25 March 1722, then, on Complaint to the said Justices and Barons (hereby enacted to be a Court of Record, as aforesaid) either by the Trustees, or the Persons hereby required to deliver in such Particulars, the said Justices and Barons are to determine all Differences concerning the same Estates, and the respective Valuations thereof, and all Incidents relating thereto, at any Time before 25 March, 1723.

CLXVIII. *Señ. 47.* If the Inventories of the Estates of the said Mr. *Craggs*, be deliver'd to the Trustees by 25 Dec. 1721; and if the Persons hereby required to deliver in the same,

same, do, on Summons, personally appear, and make full Answers upon such Interrogatories as shall be administer'd to them pursuant to this Act; and if the clear Values of the Estates shall be settled to the Satisfaction of the Court of Directors, by 25 *March* 1722, or by the said Court of Record, by 25 *March* 1723, then a Deduction shall be made out of the clear Value of the Estate which Mr. *Craggs*, or any in Trust for him, had at the Time of his Decease, not only of so much as the clear Value of the Estate which he had on 1 *Dec.* 1719, amounted to, but also of so much as in the mean Time shall have been raised for the Purposes in this Act, out of any of his Estates, by Virtue of any Clauses herein concerning the same.

CLXIX. *Señ. 48.* So much of the clear Money as his Estate shall amount to after such Deductions, shall be paid by his Heirs, &c. to the Company's Cashier, for the Uses in this Act, within 30 Days after the Values shall be settled, or Security shall be given by his Heirs, &c. to the Satisfaction of the Court of Directors for Payment thereof, at such Times, and by such Proportions as shall be agreed upon.

CLXX. *Señ. 49.* After such Payment made, or Security given, all the Real and Personal Estates which belong'd to the said Mr. *Craggs*, or any in Trust for him, at the Time of his Decease, and are hereby vested in the Trustees, (except so much thereof as shall have been raised for the Uses in this Act, and for which a Deduction shall have been made as aforesaid) shall be re-vested in his Heirs, &c.

CLXXI. *Señ. 50.* Nothing herein shall extend to vest in the Trustees that Part of the Real Estate which belong'd to Mr. *Craggs* on 1 *Dec.* 1719, or any Household Goods or Furniture which he was possessed of at the Time of his Decease, till the Particulars to be deliver'd in shall be settled; and the Value of the Estates which he stood possessed of on 1 *Dec.* 1719, shall be deducted out of the Value of his whole Estates, according to the Directions of this Act; and the remaining Value is to be paid to the Use of the *South-Sea Company*.

CLXXII. *Señ. 51.* The late Sub-Governor, Deputy-Governor, Directors, Cashier, Deputy-Cashier, and Accountant, as also *John Aislaby* Esq; are made incapable, at all Times after 24 *June* 1721, to hold or execute any Office or Place of Profit or Trust, civil or military, under the Crown, or to sit or vote in either House of Parliament.

CLXXIII. *Señ. 52.* Nothing herein shall hinder the said *Thomas Reynolds* from holding the Office of Provost-Marshal General of the Island of *Barbadoes*, granted to him and his Son *Francis* for their joint Lives, and for the Life of the longer

longer Liver of them, by his Majesty's Letters Patents, dated 28 May, in the Second Year of his Reign.

CLXXIV. *Señ. 53.* This Act shall not extend to vacate or any Ways invalidate any Assignments, Transfers, or alienations of Stocks, Subscriptions or other Things, made before 10 July 1721, by any of them the late Sub-Governor, &c. or their Trustees, for securing any Debt due to his Majesty, or to avoid any Extent, Seizure, or Sale made before that Day; but their Estates shall remain subject to be extended, seized and sold for Payment of the same Debts so incurred before 10 July 1721.

CLXXV. *Señ. 54.* Whereas the *South-Sea Company* have in their Hands several Tallies and Orders, Number 1006 inclusive to Number 1077 inclusive, for several Sums amounting to 26,000*l.* Principal Money, lent on the Credit of the Malt-Act 1718, payable to *Richard Hampden Esq;* and by him assigned to *Robert Knight* late Cashier of that Company; and also several Promissory Notes or Bills for Money, some payable to the said *Robert Knight*, some to him or Bearer, and others to him or Order; and whereas the said *Robert Knight* has fraudulently withdrawn himself, so that he cannot be had to assign the same: Therefore Enacted, That the Monies due on the said Orders, Bills and Notes, shall be paid to the Cashier of the Company, for the Uses in this Act expressed, in Relation to the Estate of the said *Robert Knight*, and the Cashier's Receipt shall be a sufficient Discharge for such Payments: Nevertheless the Monies so coming to the Cashier's Hands, shall be subject to Claims.

CLXXVI. *Señ. 55.* This Act shall not vest in the Trustees the 3500*l.* Stock in the *South-Sea Company*, which was the *Lady Elizabeth Master's*, before her Marriage with *Sir Harcourt Master*: But the Interest thereof shall be paid to her for her separate Use, during the Life of *Sir Harcourt Master*.

CXXVII. *Señ. 56.* This Act shall not prejudice or defeat the Debt due to the Crown, or to any other Creditors of *Sir Harcourt Master*, which by Law may affect the Interest of the said 3500*l.* Stock, during the Life of *Sir Harcourt Master*.

CLXXVIII. *Señ. 57.* Each of the Trustees, for his Labour, Pains and Service, shall have such Reward as the Court of Directors shall, upon due Consideration thereof, judge reasonable; and such Sums shall be paid on Account of Salaries and incident Charges, as that Court shall think necessary for the Execution of this Act, and the other Act of this Session, viz. 7 G. c. 5. The said Rewards, Salaries, and incident Charges to be paid by the Company's Cashier, and the Salaries of the Trustees subordinate Officers shall not be liable to any Taxes.

CLXXIX. *Seç.* 58. The Trustees shall cause fair Entries to be made in Books, of all their Proceedings in the Execution of the Trusts and Powers hereby reposed in them; and particularly shall cause Books to be kept, wherein shall be fairly enter'd all the Real and Personal Estates of the late Directors, &c. which shall be discover'd, and come under their Power and Care; and all Debts and Incumbrances payable out of the same; and how, to whom, and for how much, any Parcels of such Estates shall have been sold, and all the Charges and Expences thereupon; and shall give a particular Account in Writing to the King and to either House of Parliament, of the Effects of their Proceedings: And Persons prosecuted for what they shall do in the Execution of this Act, may plead the General Issue, &c. and recover full Costs.

CLXXX. *Seç.* 59. All the clear Monies to arise out of the respective Estates and Interests, Real or Personal, and other Effects hereby vested in the Trustees, or by any Sales or Dispositions thereof, or by any Rents, Issues, or Profits of the same, or by any Proceed or Increase thereof, (other than so much as by any Clause in this Act is to be issued on hearing or determining of Claims, or for Salaries or incident Charges, or for Rewards to Discoverers, &c.) shall be appropriated to the Use of the *South-Sea Company*, and shall be applied thereunto, for increasing their Capital Stock, and that of all the Members thereof, in Proportion to their respective Shares therein.

CLXXXI. *Seç.* 60. Every of them the said late Sub-Governor, Deputy-Governor, Directors, Deputy-Cashier and Accountant, shall, out of the particular personal Estates and Effects, which belonged to him respectively, have such Provision, Settlement or Allowance for the necessary Subsistence of him and his Family, as are set down in a Schedule to this Act annexed.

CLXXXII. *Seç.* 61. Provided, That every of them the said late Sub-Governor, &c. before he shall have such Provision, &c. or before he receives any Benefit thereof, do first voluntarily exhibit to the Trustees upon Oath, a true Account of all such Parts of his Personal Estate, as by him or his Order was disposed of after 1 *June* 1720, and before the Time of exhibiting such Account, for Payment of his Debts, and of all such Debts as have been discharged therewith; and also a true Account of all such perishable Goods as by him, or his Order were disposed of after the said 1 *June*, with the Values or Amounts thereof, and how the same have been applied or disposed; and likewise do voluntarily release or convey in due Form of Law to the Trustees, all such Right, Title, Interest, Claim and Demand,

Demand, which he may have, or pretend to have in those Estates which belonged to him particularly, and are hereby vested in the Trustees.

CLXXXIII. *Señ. 62. The Schedule referred to in the Act, containing the Allowances which shall be made to the respective Persons herein after named, viz.*

TO Sir John Fellowes Bar. late Sub-Governor of the South-Sea Company, the Sum of 10000 *l.*

To Charles Foye Esq; late Deputy-Governor of the said Company, the Sum of 5000 *l.*

To William Astell Esq; late one of the Directors of the said Company, the Sum of 10000 *l.*

To Sir Lambert Blackwell Bar. the Sum of 15000 *l.*

To Sir John Blount Bar. the Sum of 5000 *l.*

To Sir Robert Chaplain Bar. the Sum of 10000 *l.*

To Sir William Chapman Knt. and Bar. the Sum of 10000 *l.*

To Robert Chester Esq; the Sum of 10000 *l.*

To Stephen Child Esq; the Sum 10000 *l.*

To Peter Delaport Esq; the Sum of 10000 *l.*

To Francis Eyles Esq; the Sum of 20000 *l.*

To James Edmondson Esq; the Sum of 3000 *l.*

To Edward Gibbon Esq; the Sum of 10000 *l.*

To John Gore Esq; the Sum of 20000 *l.*

To Sir William Hammond Knt. the Sum of 10000 *l.*

To Francis Hawes Esq; the Sum of 5000 *l.*

To Richard Horsey Esq; the Sum of 10000 *l.*

To Richard Houlditch Esq; the Sum of 5000 *l.*

To Sir Theodore Janssen Knt. and Bar. the Sum of 50000 *l.*

To Sir Jacob Jacobson Knt. the Sum of 11000 *l.*

To Arthur Ingram Esq; the Sum of 12000 *l.*

To Sir John Lambert, Bart. the Sum of 5000 *l.*

To Sir Harcourt Master, Knt. the Sum of 5000 *l.*

To William Morley Esq; the Sum of 1800 *l.*

To Ambrose Page Esq; the Sum of 10000 *l.*

To Colonel Hugh Raymond, the Sum of 30000 *l.*

To Samuel Read Jun. Esq; the Sum of 10000 *l.*

To Thomas Reynolds Esq; the Sum of 14000 *l.*

To Jacob Sawbridge Esq; the Sum of 5000 *l.*

To William Tillard Esq; the Sum of 15000 *l.*

To John Turner Esq; the Sum of 800 *l.*

To Robert Surman, late Deputy-Cashier of the said Company, the Sum of 5000 *l.*

To John Grigsby, late Accountant of the said Company, the Sum of 2000 *l.*

CLXXXIV. Stat. 7 G. Seff. 2. c. 1. Sect. 1. From the Feast of St. John Baptist 1722, the Sum of 4,156,306 *l.* 4 *s.* 11 *d.* which in Pursuance of 6 G. c. 4, the South-Sea Company was to pay into the Exchequer, and the several further Sums therein mentioned, which were to be computed and paid after the several Rates, of Four Years and a Half's Purchase, and one Year's Purchase; and all Actions, Suits, Executions, Demands, Stoppings, Detentions, and other Remedies for recovering or obtaining the same, or any Part thereof, shall, by Virtue of this Act, be deemed to be remised, and for ever discharged.

CLXXXV. Sect. 2. After the said Feast, the full Sum of Two Millions, Part of the Capital Stock which shall then belong to the said Company, shall be adjudged to be reduced, sunk, and annihilated for ever; and a proportional Part of their Annuities payable in Respect of Two Millions, shall be no longer payable; but shall from thenceforth cease and determine for the Benefit of the Publick.

CLXXXVI. Sect. 3. In Order to put an End to all Disputes between the Company and the Proprietors of the redeemable Annuities, subscribed into the Company, and between the Proprietors of the Money-Subscriptions; and for the further Relief, as well of the Proprietors of the redeemable Annuities, as also of the Proprietors of the second, third, and fourth Money-Subscriptions, It is enacted, That the Company shall make an Addition of 33 *l.* 6 *s.* 8 *d.* in Stock, upon every 100 *l.* already allow'd or allowable, to the Proprietors of the redeemable Annuities, and of the second, third, and fourth Money-Subscriptions: Which Addition to the Proprietors of redeemable Annuities, together with the Stock already allow'd them at the Rate of four hundred *per Cent.* with the Dividend at *Midsummer* 1720, shall be in full Discharge of their redeemable Annuities, which were subscribed, and for which the Securities were deliver'd up, or for which the Books at the Bank were debited, and for which an additional Stock was created by the Treasury: And the said Addition to the Proprietors of the Monies actually paid on the second, third, and fourth Money-Subscriptions, together with the Stock already allow'd them at the Rate of four hundred *per Cent.* with the Dividend at *Midsummer* 1720, shall be in full Discharge of the Monies paid on the said Subscriptions; notwithstanding any Defect or Error in taking the said Subscriptions of the redeemable Annuities, and the said Money-Subscriptions, or any Misnomer, Mispelling, or Omission of Entry of Money paid for the Money-Subscriptions; and notwithstanding any Doubt or Question concerning the Validity of the Subscriptions of the redeemable Annuities; and no more Money shall be demanded by the Company on any of the four Money-Subscriptions.

CLXXXVII,

CLXXXVII. *Señ. 4.* For a further Relief to be given to the Proprietors of the irredeemable Annuities in the second Subscription, by an Addition of Stock valued at 150*l. per Cent.* the Company shall make an Addition at that Rate in Stock to the said Proprietors, over and above the Stock allow'd to them by a Resolution of the Company's General Court; which Additions shall be made in the Proportions following, *viz.* On every Annuity of 100*l. per Annum*, subscribed for the Remainder of 99 Years, comprehended in the second Subscription, 203*l. 6s. 8d.* Stock; and so proportionably: On every Annuity of 98*l. per Annum*, subscribed for the Remainder of 96 or 89 Years, commonly called Fourteen *per Centums*, comprehended in the said second Subscription, 178*l. 5s. 4d.* Stock. On every 90*l. per Annum*, subscribed for the Remainder of 32 Years, commonly called the Nine *per Centums*, comprehended in the said second Subscription, 73*l. 9s. 4d.* Stock: On every Annuity of 100*l. per Annum*, subscribed for the Remainder of 32 Years, commonly called Benefits of the Lottery, 1710, comprehended also in the second Subscription, 65*l. 16s. 8d.* Stock: On every 98*l. per Annum*, subscribed for the Remainder of 32 Years, commonly called Blank Pay-Tickets of the said Lottery, comprehended likewise in the second Subscription, 126*l. 14s. 8d.* Stock, and so in Proportion for any greater or lesser Sum of any such Annuities: And all Dividends due from *Christmas 1720*, shall be payable on the said several Additions of Stock.

CLXXXVIII. *Señ. 5.* All the increased Capital Stock which was gained by the Company, by taking in publick Debts and Incumbrances, and which, after the Distribution of such Parts thereof as are, by any former Clauses in this Act, intended to be distributed, shall remain undisposed, shall be divided among all the Proprietors of the whole Capital Stock in Proportion to their several Interests therein.

CLXXXIX. *Señ. 6.* Such Persons, (Brokers, or such Persons as have acted as Brokers for Brokerage, excepted) as at any Time since 25 *March 1720*, have borrow'd Money of the Company upon Shares in the Stock of the Company, actually transferred and pledg'd (at the Time of borrowing, or within 21 Days after) for the Use of the Company, who shall pay to the Cashier of the Company at their publick Office, so much Money as at a Rate of 10 *per Centum*, to be computed upon the Sums so borrowed, shall amount to, *viz.* one Moiety thereof by 25 *Dec. 1721*, and the other Moiety by 25 *June 1722*, shall be discharged from all further Demands of the Company; and all the Stock so pledged, for which such Payment shall be made, or lawfully tendered and

and refused, together with the Dividends and Profits belonging to such Stock, shall be absolutely vested in the Company for their Use.

CXC. *Señ.* 7. Such Persons (except as before excepted) as at any Time since 25 *March* 1720, have borrowed Money from the Company on Receipts given for Payments made on any of the Money-Subscriptions, and were actually pledg'd to the Company, (at the Time of Borrowing, or within 21 Days after) who shall pay to the Cashier for the Use of the Company, at their publick Office, so much Money as at a Rate of Ten *per Centum*, to be computed on the Sums so borrowed, shall amount to, *viz.* one Moiety by 25 *Dec.* 1721, and the other Moiety by 25 *June* 1722, shall be discharged from all further Demands of the Company, in Respect of the Money so borrowed on such Subscription-Receipts; and all such Subscription-Receipts so pledged, and all the Dividends and Profits belonging thereto, shall be vested in the Company for their Use.

CXCI. *Señ.* 8. Every Contract for the Sale or Purchase of Subscriptions or Stock of the *South-Sea Company*, or any other Company or Corporation, or pretended Company or Coporation, which shall be unperform'd in Whole or in Part, or shall not be compounded between the Parties thereto, by 29 *Sept.* 1721; or an Abstract or Memorial thereof signed by the Party interested therein, and who shall be entitled to take Advantage of the same, shall be enter'd in Books to be kept for that Purpose, by the Company or Corporation, to whose Capital such Stock or Subscriptions do relate, at some Time before 1 *Nov.* 1721; and in Default of such Entry, every such Contract, as to so much as shall remain unperform'd, or not compounded by 29 *Sept.* 1721, shall be void. And such Entries shall express the Names of the Parties for whose Use such Contracts were made; and no Stamp-Duties shall be payable for the same; and no Fee shall be taken for entering any such Contract, or any Abstract or Memorial thereof, on Pain of forfeiting 200 *l.* to the Party grieved, by the Company or Corporation, who ought to have register'd the same *gratis*, to be recover'd by Action of Debt, &c.

CXCII. *Señ.* 9. All such Contracts, unperform'd in whole or in Part, or not compounded, by 29 *Sept.* 1721, when the Seller, or the Person on whose Behalf such Contract was made, was not at the Time of such Contract, or within six Days after, actually possessed of, or entitled in his own Right to such Subscription or Stock, shall be null and void, with Respect to so much only of such Stock or Subscription, as the Seller, or the Person on whose Account such Sale was made, was not possess'd of, or entitled to.

CXCIII. *Señ. 10.* No special Bail shall be required in any Action brought on any Contract made since 1 Dec. 1719, and before 1 Dec. 1720, for the Sale or Purchase of any Subscription or Stock of the *South-Sea Company*, or any other Company or Corporation; and no Execution shall be awarded on any Judgment or Decree, obtain'd in any Action or Suit brought on such Contract, till the End of the Session of Parliament, which shall be next after 29 Sept. 1721.

CXCIV. *Stat. 8 G. c. 20.* *An Act for paying off and cancelling One Million of Exchequer-Bills, and to give Ease to the South-Sea Company, in Respect of its present Obligation to circulate or contribute towards circulating Exchequer-Bills; and to give further Time to that Company for Repayment of One Million, which was lent to them, &c.* See Tit. *Exchequer-Bills*, Par. LXIII.

CXCV. *Stat. 8 G. c. 21. Señ. 1.* It shall be lawful for the *South-Sea Company*, and they are hereby enabled, after 25 March 1722, to sell or otherwise dispose of, to any Persons or Bodies Politick or Corporate, all or any Part of their Stock, as well that pledg'd to the Company, as that which was allow'd by them for Subscription-Receipts, or any Part of their Fund payable at the Exchequer, not exceeding 200,000 *l.* a Year, by Way of Lottery, Subscription, or otherwise, at such Times and in such Manner, as by their General Court shall be thought expedient.

CXCVI. *Señ. 2.* This Act shall not alter the Provision made by an Act of the last Session of Parliament, (*For making several Provisions to restore the publick Credit, &c.*) for paying Ten per Cent. upon such Loans, and thereupon discharging the Borrowers from all further Demands of the Company, in Respect of the Monies borrow'd on Stock or Subscription-Receipts; and for absolutely vesting in the Company such Stock and Receipts so pledg'd, and for which Payments shall be made or tender'd according to the Meaning of the said Act; or to discharge any Persons who have not entitl'd themselves to the Benefit of that Act, by making Payments according to the Direction thereof, from any Debts due to the Company on such pledg'd Stock or Receipts, over and above the Profit that shall be made by the Company by Sale, or other Disposition of such pledg'd Stock; and the Stock arising by Means of such pledg'd Subscription-Receipts.

CXCVII. *Señ. 3.* If the Company shall think fit to raise all or any Part of the Money, hereby authorized to be raised, for Payment of their Debts, by Way of a Lottery,
then

then no Contributions to such Lotteries shall be received after 24 Dec. 1723.

CXCVIII. *Señ. 4.* If the Company shall think fit to raise all or any Part of the Money, by selling any Part of their Annuities at the Exchequer, at 5 *l. per Cent. per Annum*, (such Part not to exceed in the whole 200,000 *l. per Annum*) the Contractors for purchasing the same, shall be deemed to be, and shall be capable in Law to hold and enjoy the Parts so purchased, from such Time as shall be agreed upon between the Purchasers and the Company.

CXCIX. *Señ. 5.* All Arrears of so much as shall be so purchased of the yearly Funds of the Company, as shall be due and computed by the Day to the Time to be so agreed upon, shall remain payable to the Company, as the Money appointed by any Acts of Parliament, to be apply'd towards Payment of such Parts to be purchased in the said Annuities; and the same shall be fully satisfied before any of the Payments by this Act directed to be made to such Purchasers, shall be made: And so much of the said Parts to be purchased in the Annuities, as shall be computed by the Day from the Time to be agreed upon, to the usual Quarterly Feast-Day then next ensuing, shall be reckon'd to be due at the said next Feast-Day; and from the same Feast-Day the said Parts of the Annuities to be purchased, shall grow due quarterly, and be paid to the Purchasers thereof, out of the Monies to arise in the Exchequer, of the particular Duties, proportional Parts of Revenues, or other Provisions, now chargeable with the same, as Annuities of the Company, at the Rate of 5 *l. per Cent.* till *Midsummer 1727*, and from thenceforth at 4 *l. per Cent.* till Redemption by Parliament; and all Precepts, Powers, Penalties, &c. in any Act now in Force, in Order to the satisfying, issuing, or securing the Company's Annuities, shall be put in Execution for satisfying, &c. the said Parts, after the Purchasing thereof, to the Purchasers, as fully as the same Parts should have been paid or secured, if the same were not sold.

CC. *Señ. 6.* No Agreement for the Sale of any Part of the Company's Annuity, shall be made between them and any other Body Politick or Corporate, unless ten Days Notice at least be given in the *London Gazette*, and upon the *Royal Exchange*, before the Meeting of any General Court of the Company, to be summoned to approve the Sale.

CCI. *Señ. 7.* The Values to be computed at 20 Years Purchase, for such Parts of the Annuities as shall be so purchased, shall, from the Times to be specify'd in such Agreements, become a Capital Stock of the Persons, or Bodies Politick or Corporate, who shall purchase the same; and in Case the Purchase be made by any Body Politick or Corporate,

rate, such Body may unite the Capital Stock so created, to their own Capital ; and in such Case, every Member of such Body Politick or Corporate, shall have Credit in the Books thereof, for his Share in the Stock so encreased, and all the Profits to attend the same : And after such Purchase made, the Capital Stock of the *South-Sea Company* shall be less'n'd so much as the Values of the Parts so Sold shall amount to ; and their Annuities shall proportionably be less'n'd.

CCII. *Señ. 8.* For the more regular Payment of the Monies to be paid to such Purchasers, Orders shall be made forth by the Treasury ; and after signing thereof, the same shall be good in Law, and not determinable on the Death or Removal of any Commissioner of the Treasury, or High Treasurer ; nor shall the Treasury have Power to revoke or make void the same.

CCIII. *Señ. 9.* And for the more speedy Payment of any Monies payable to the Purchasers, upon such Order ; it is enacted, That weekly, or otherwise, as the Monies hereby intended to be applied for the Payments to grow due to them, shall be brought into the Exchequer, and shall be set apart for that Purpose, such Monies shall be issued upon such Orders, for discharging the Parts of the Annuities so purchased, and shall grow due at the End of every Quarter of a Year, in which such Issues shall be made ; so as such weekly or other Payments, do not exceed the Sums which shall grow due at the End of such Quarter respectively.

CCIV. *Señ. 10.* It shall be lawful for any Bodies Politick or Corporate, who shall have purchased any Parts of the said Annuities, for better enabling themselves to pay for the same, to raise Money, by opening of Books for taking in Subscriptions from any Persons, (as well their own Members as others) for Sale of any Part, or all of their Capital Stock so created ; or by making Calls of Money from their Members ; and by stopping and disposing the Shares and Dividends of such Members, as shall make Default in answering such Calls ; and applying the Money so stopped for the Purposes aforesaid ; or by borrowing Money on Bonds, Bills, &c. under their Common Seal, or otherwise, as to them shall seem most convenient : Which Money so raised, they are enjoined to apply for paying the Purchase-Money to the *South-Sea Company*.

CCV. *Señ. 11.* The Capital Stock which any Persons, in Pursuance of such Agreements, and of this Act, shall be entitled unto, and the Parts of the Annuities of the *South-Sea Company* which shall be so purchased, and the Particular Share of every Member of such Bodies Politick or Corporate

porate in the same, shall be deemed a personal, and not a real Estate, and shall be free from all Taxes; and if any Body Politick or Corporate shall be entitled thereto, then the Members of such Body may assign and transfer their Shares, in the Books of the Company, in such Method as is prescribed by any Acts or Charters for Assignments or Transfers of Original Stock, &c. or may devise the same by Will: And the Parts of the Annuities which shall be purchased by Persons (not being a Body Politick or Corporate) may be assign'd by any Writing under their Hands and Seals; and such Assignments over may be made *toties quoties*, so as such Assignments be notify'd in the Books of the Auditor of the Receipt; and may be devised by Will, so as such Will be enter'd in the same Office, within three Months after the Decease of the Testator.

CCVI. *Seçt.* 12. No Persons employ'd in making Agreements for the Sale or Purchase of the said Annuities, or in the Management of the Capital Stock to be ascertain'd for the same, or of the Annuities so to be purchased, or in raising the Money to be paid for the same, or otherwise in the Execution of this Act, shall, for that Cause only, be disabled from serving as a Member of Parliament, or liable to any Penalty or Disability, for not qualifying himself to execute his Trust pursuant to this Act, as if it were an Office of Profit; and no Member of any Body Politick or Corporate, which shall be entitled to Stock pursuant to such Agreement, and this Act, shall, in Respect of his Share therein, be liable to be a Bankrupt; and the Stock of such Bodies Politick or Corporate so ascertain'd, shall not be liable to Foreign Attachment, by the Custom of *London*, or otherwise.

CCVII. *Seçt.* 13. The Purchasers of any Parts of the Annuities of the *South-Sea Company*, shall hold and enjoy the same, till the Parts so purchased shall be redeemed pursuant to this Act; and any Body Politick or Corporate purchasing such Parts of the said Annuities, shall continue a Corporation, till the Redemption of the Parts purchased by them.

CCVIII. *Seçt.* 14. Provided, That at any Time after 24 *June* 1727. on Repayment by Parliament to the Persons or Bodies Politick or Corporate, who shall be entitled to the Capital Stock, in Respect of the Parts of Annuities; so purchased, of the whole Sum whereof the said Capital shall then consist, and of all Arrears thereof, (which Arrears shall be computed and paid to the Quarterly Feast-Day then next preceding, and from thence shall be computed by the Day till the Time of full Payment of the Capital Stock last mention'd) then the said Part of the Annuities so purchased shall cease and determine.

CCIX. *Señ. 15.* At any Time after 24 *June* 1727, on Repayment of any Sum (not being less than one eighth Part of such Capital Stock at a Time) in Part of the Principal Monies whereof the same Capital shall consist, and of all Arrears then due, so much of the said purchased Annuities as shall bear Proportion to the Monies so paid in Part of the Principal, shall cease, and be abated.

CCX. *Señ. 16.* After Redemption of the Annuities, so much of the several Duties, &c. as are by this Act applicable thereto, shall be understood to be redeemed by Parliament, and shall not be issued or apply'd to any Use, without Authority of Parliament.

CCXI. *Señ. 17.* So much of the Capital Stock of the *South-Sea* Company, as shall remain in that Company after Sale of such Parts thereof, as shall be sold pursuant to this Act, shall, after 24 *June* 1727, be redeemable by Parliament, upon Payment of such Sums whereof their Capital shall then consist, and of all Arrears of their Annuities, and of the yearly Sums allow'd the Company for Charges of Management; and the Redemption of their Capital Sum so remaining, may be made upon Payment at one Time, or several Times, (not being less than one Million at a Time;) according to the Powers of Redemption in the Act of the sixth Year of his Majesty's Reign.

CCXII. *Señ. 18.* If any Persons, intended to have the Benefit of the Act of the last Session, and who have lapsed the Time for Payment of the first Moiety of the 10 *l. per Centum* for Money borrow'd of the *South-Sea* Company, which Time was by the said Act limited to 25 *Dec.* 1721, shall pay to the Cashier of the said Company, at their publick Office in *London*, for the Use of the Company, so much Money as a Moiety of the said 10 *l. per Centum*, to be computed on the Sums so borrow'd shall amount to, on or before 25 *April* 1722, with Interest for the said Moiety from 25 *Dec.* 1721, such Person shall on such Payment made, or lawfully tender'd and refused, be entitled to the Benefit of the last mention'd Act, as fully as if such Payment had been duly made within the Time limited by that Act.

CCXIII. *Stat. 8 G. c. 22. Señ. 1.* If any Person, after 17 *March* 1721, shall forge or counterfeit, or procure to be forged or counterfeited, or wilfully act or assist in the forging or counterfeiting, any Letter of Attorney, or other Authority or Instrument, to transfer, assign, sell or convey any Share in the Capital Stock of any Body Politick or Corporate, establish'd by Act of Parliament, or to receive any Annuity or Dividend attending the said Shares, or any Part thereof; or shall forge or counterfeit, or procure to be forged or counterfeited

counterfeited, or knowingly and willingly act or assist in the forging or counterfeiting any Name of any Proprietor of any Share or Stock, or of any Person entitled to any such Annuity or Dividends as aforesaid, in or to any such pretended Letter of Attorney, Instrument or Authority; or shall knowingly and fraudulently demand, or endeavour to have any such Share in Stock, or any Part thereof, to be transferred, &c. or such Annuity or Dividend, or any Part thereof, to be received, by Virtue of any such forged or counterfeited Letter of Attorney, Authority or Instrument; or shall falsely and deceitfully personate any real Proprietors of the said Shares in Stock, Annuities, or Dividends, and thereby transferring or endeavouring to transfer the Stock, or receiving or endeavouring to receive the Money of the true and lawful Proprietors, as if such Offender were the true Owner thereof; every such Person, being thereof lawfully convicted, shall be adjudged guilty of Felony, and suffer as in Cases of Felony, without Benefit of Clergy.

CCXIV. *Seç. 2.* The Treasury shall rectify the Mistakes or Errors of the late Directors, or those employ'd under them, in taking Subscriptions for encreasing the Capital Stock of the *South-Sea Company*, in an Instrument dated 9 Dec. 1720, by a new Instrument, thereby declaring, that the Principal Sums amounting to 67,831 *l.* 6 *s.* 10 *d.* shall be added to the present Capital Stock of the said Company; and that the yearly Sum of 3,391 *l.* 11 *s.* 4 *d.* being computed at 5 *l.* *per Cent.* on the said Principal Sums, shall be added to the present Annuity of the Company, and shall take Effect from *Michaelmas* 1720, and be payable as by the Act of the 6th of his Majesty was prescribed: And the Treasury shall declare, that every Member of the Company in Proportion to their Shares, shall have Credit in the Company's Books for the whole Capital Stock so increased.

CCXV. *Seç. 3.* For rectifying a Mistake which tends to the Prejudice of the Publick, the Treasury shall, by proper Memorandums, to be endorsed on the Instrument dated 28 Sept. 1720, and upon the Subscription-Books wherein the Mistakes are inserted, cause the Sum of 400 *l.* Part of the additional Capital Stock of 8,551,618 *l.* 15 *s.* and 20 *l.* *per Annum*, Part of the additional Annuity of 427,580 *l.* 18 *s.* 9 *d.* to be abated and sunk from *Lady-Day* 1720; the subscribed Annuity of Sir *Harcourt Master*, being inserted therein at 45 *l.* *per Annum*, although in Truth the Annuity was but 25 *l.* *per Annum*: And if any Payment of the said 20 *l.* has been received by the Company at the Exchequer, it shall be repaid, or be stopped out of the next Payment to be made to the Company.

CCXVI. *Señ. 4.* The Treasury may inspect and examine any Duplicates, which were transmitted by the present or late Managers, for taking Subscriptions for encreasing the Capital Stock of the Company; and if they shall find any Errors or Mistakes therein, to the Prejudice of the Company, or of the Publick, they shall rectify the same, by making Additions to the Stock and Annuity of the Company, or by making Substractions from the same.

CCXVII. *Stat. 8 G. c. 23.* The Preamble recites the Act 7 G. c. 28, *For raising Money upon the Estates of the late South-Sea Directors, &c. and likewise of John Aislaby Esq; and of James Craggs, Sen. Esq; deceased, &c.* and then it is Enacted,

Señ. 1. That the Time for any Claimant's declaring his Acquiescence in the Resolutions of the Company's Court of Directors, touching the Debt, Estate, or Interest claim'd, shall be enlarged from 1 Aug. 1722, to 24 March 1722; and that the Time for hearing and determining Claims made by any Claimant, touching such Debt, &c. whose Claims shall not be adjusted, shall be enlarged from 25 Dec. 1722, to 24 June 1723; and that the Time for the Justices and Barons transmitting Certificates to the Trustees, as directed by the recited Act, shall be enlarged from 25 March 1723, to 29 Sept. 1723; and all Powers, &c. given by the said recited Act shall be observed, and have the like Force; and all Parties concerned shall have the like Benefit thereof, as if such Declarations of Acquiescence, Complaints, and Certificates, had been made within the Times limited by the said Act.

CCXVIII. *Señ. 2.* Where it shall appear to the Trustees, that any of the Directors, &c. are or have been Partners, or concerned in any joint Interest or Dealing with any other Persons, any three of the said Trustees may (with the Approbation of the Court of Directors of the South-Sea Company) make any such Composition or Agreements with any Partner or joint Dealer, or Persons having any joint Interest in any such Partnership or joint Dealing, concerning all Estates, Monies, and Effects, belonging to such Partnerships or joint Dealings; and all Debts owing thereto and therefrom; and all Accounts and other Matters thereto relating, either altogether and intirely, or concerning only any Part thereof, as on due Consideration of the Nature of the Case, and Circumstances of the Parties concerned in such Partnership, &c. shall be by the Trustees, with Consent of the Court of Directors, thought fit and reasonable; so as the Monies payable on such Agreement be paid to the
Cashier

Cashier of the Company for the Uses in the recited Act expressed.

CCXIX. *Señ. 3.* If upon Examination of any Claim, it shall appear to the Trustees, and the Court of Directors, or to the Justices and Barons, that any real or personal Estate, belonging to any of the said late Directors, &c. or to *John Aislavie* and *James Craggs*, in Respect whereof any Claim shall be made, was vested in them in Trust for the Claimant; in such Case it shall be lawful for the Trustees to grant, bargain, convey, surrender, &c. all such legal Estate, Right, Title, &c. so claimed, and appearing to be in Trust, and to pay all such Trust-Monies thereby arising, as they shall have received, to such *Cestuy que Trust* (being in Great Britain of the Age of 21 Years, and also of Ability to alien as well as to purchase) his Heirs, &c. as he, by writing under his Hand and Seal, testify'd by two or more credible Witnesses, shall appoint; and where such *Cestuy que Trusts* shall happen to be Infants, Lunaticks, Ideots, Feme-Coverts, or beyond the Seas, then to such other Persons, and upon such Trusts, and for such Purposes, as, on Examination of the Matter, on a Petition on Behalf of such *Cestuy que Trusts* to the High Court of Chancery, shall be approved and directed; and the Trustees are indemnify'd for so doing.

CCXX. *Señ. 4.* Such Grant, Bargain, Surrender, or Conveyance, in either of the said Cases, so executed by any three of the Trustees, shall be as good and effectual in Law, as the same would have been, if made by all the Trustees.

CCXXI. *Señ. 5.* The Trustees may take the Bonds and Dividend-Warrants of the Company in Payment at *Par*; and the Stock of the Company in Payment from any Purchaser of the Real or Personal Estates of the late Directors, &c. vested in the said Trustees, at such Price as shall be agreed on between the Trustees and the Purchasers; Provided such Stock be transferred to the Cashier of the Company; and the same, or the Produce thereof, shall be apply'd for the Uses in the first recited Act expressed, at such Times, and in such Proportions, as the Consideration-Money for the Purchase of the said Estates is hereby appointed to be made; so as by such Acceptance of the Stock, Bond, or Dividend-Warrants, his Majesty, or any Claimant, shall not be disappointed of their just Satisfaction in Money.

CCXXII. *Señ. 6.* Such of the late Directors, &c. as have on their Parts performed, or shall perform the several Matters by the said Act required, shall have, for the Subsistence of themselves and their Families, out of the Produce of their Estates, Interest for so much of the Allowances to them

them made by the said Act, as shall remain in the Hands of the Trustees, by quarterly Payments, from 20 *Sept.* 1721, being the Time for delivering up their Estates and Effects to the Trustees, till the several Allowances be actually paid.

CCXXIII. *Señ.* 7. No special Bail shall be required in any Action or Suit, brought on any Contract, made since 1 *Dec.* 1719, and before 1 *Dec.* 1720, for the Sale or Purchase of any *South-Sea* Stock, or Delivery of any Interest or Receipt in any Subscription taken in by the said Company, or any other Company, or pretended Company, till 1 *March* 1722.

CCXXIV. *Stat.* 9 *G. c.* 2. *Señ.* 163. The Sum of One Million, payable by the *South-Sea* Company, may be received at the Exchequer in such Proportions at a Time, before 7 *June* 1723, as any three of the Commissioners of the Treasury shall think to be most convenient for the respective Uses by the Act 8 *G. c.* 20, in that Case made, prescribed concerning the same; and on Payment of any such Proportions within that Time, the Corporation shall have Tallies of *Sol*, according to the Course of the Exchequer, for discharging them of the Monies so paid, and the Interest for so much shall cease; and such Parts of the Monies so brought in, shall be forthwith apply'd towards cancelling the Exchequer-Bills, which were made forth by the said Act 8 *G.* And in Default of Payment within the Time before limited, there shall be the like Remedies for recovering it, by Stoppage or otherwise, as were by the said Act prescribed.

CCXXV. *Stat.* 9 *G. c.* 6. *Señ.* 1. The Clause and Proviso in the Act 7 *G.* (*For making several Provisions to restore the publick Credit, which suffers by the Frauds and Mismanagements of the late Directors of the South-Sea Company and others;*) whereby it was enacted, That after *Midsummer* 1722, the full Sum of two Millions of Pounds Sterling, Part of the Capital Stock which shall then belong to the *South-Sea* Company, shall be reduced, sunk and annihilated for ever, is hereby repealed, and declared, and enacted to be null and void accordingly; And the said Sum of two Millions shall be revived, and again added to the present Capital Stock of the Company, and the proportional Part of the Annuities of the said Company, payable at the Exchequer in respect of the said two Millions, together with all Arrears thereof grown due since *Midsummer* 1722, shall also be revived, and again become payable at the Exchequer.

CCXXVI. *Señ.* 2. The two Millions by this Act revived, shall before 24 June 1723, be divided amongst all the Proprietors of the Capital Stock of the Company in Proportion to their several Interests therein; and Credit shall be given for the same in the Company's Books.

CCXXVII. *Señ.* 3. After 24 June 1723, the whole Capital Stock of the *South-Sea* Company, computed to amount to 33,802,483 *l.* 14 *s.* 2 *q.* and the Shares of the Proprietors of the same, shall be divided into two equal Parts or Moieties, and the same from thenceforth are hereby divided accordingly.

CCXXVIII. *Señ.* 4. One Moiety of the said Stock, which will by Computation amount to 16,901,241 *l.* 17 *s.* 1 *q.* shall after 24 June 1723, be converted into a joint Stock, attended with certain Annuities payable out of the *South-Sea* Company's Funds, in Lieu of all Dividends and Profits such Moiety is now intitled to, *viz.* with Annuities at 5 *l.* *per Cent.* *per Annum*, from 24 June 1723, till 24 June 1727; and from thence with Annuities out of the same Funds, at 4 *l.* *per Cent.* *per Annum*, till Redemption by Parliament; and the same Moiety shall from thenceforth be called the joint Stock of the *South-Sea* Annuities: And the other Moiety of the said whole Capital Stock, amounting to the like Sum, shall remain in the said Company as a joint Stock in their own Right, attended with the Residue of the said yearly Funds payable at the Exchequer, for their said whole Capital, till Redemption; and also attended with the several Sums already settled and allowed for Charges of Management; and with all other Benefits, Profits of Trade, Advantages, &c. now belonging to the *South-Sea* Company.

CCXXIX. *Señ.* 5. As concerning the one Moiety of the said whole Capital Stock of the *South-Sea* Company, so, as aforesaid, converted into a joint Stock of the *South-Sea* Annuities, it is enacted, That every Proprietor, having a Share therein, his Executors, &c. (in Lieu of such his Share, and of the proportional Annuities, Dividends and Profits, which belong'd to such Sharer before this Act) shall be entitled to certain Annuities at 5 *l.* *per Cent.* *per Annum*, from 24 June 1723, till 24 June 1727; and from thence at the Rate of 4 *l.* *per Cent.* *per Annum*, till Redemption by Parliament: And the *South-Sea* Company shall, after the said 24 June 1723, have, and be entitled to have and receive at the Exchequer, out of the Duties, &c. charged with their whole Annuities payable there, the yearly Sum of 845,062 *l.* 1 *s.* 10 *d.* 1 *q.* as the Annuity to attend the Moiety so converted into the said joint Stock of the *South-Sea* Annuities till 24 June 1727; and from thence so much yearly as the Interest

terest of the same Moiety shall amount to at 4*l.* per Cent. till Redemption as aforesaid, by weekly or other Payments, as the whole yearly Funds of the Company are payable to them, before the making such Separation; nevertheless, in Trust for the Proprietors, who shall be entitled to the said *South-Sea* Annuities: And the Company shall have the like Remedies for recovering the said Monies, as they might have had, if no such Separation were made, but in Trust as aforesaid: And all the Powers, Privileges, &c. and all Pains of Death, Forfeitures, Disabilities, &c. and all Restrictions, Rules, &c. enacted by former Acts, and in Force at the Time of making this Act, shall be continued and put in Execution, for better securing the said joint Stock of the *South-Sea* Annuities, and the yearly Funds hereby enacted to attend the same, in Trust, and for the Benefit of the said Annuitants: and for punishing the Forging of Transfers or Assignments of the said *South-Sea* Annuities, or any Dividend-Warrants made for the same; as fully as if the said Powers, &c. were again repeated, and particularly enacted in the Body of this Act.

CCXXX. *Señ.* 6. The said joint Stock of Annuities shall become due and payable, from 24 *June* 1723, till *Michaelmas* following quarterly; and from thence half-yearly, viz. at *Lady-Day* and *Michaelmas*, by equal Portions.

CCXXXI. *Señ.* 7. If any Deficiency shall happen in the Produce of the Duties, &c. charged with the *South-Sea* Annuities, and attendant on the remaining Stock, and the Allowances for Charges of Management, the *South-Sea* Annuities shall bear one Half of every such Deficiency, till the same be provided for by Parliament; and no more.

CCXXXII. *Señ.* 8. The proportional Shares which every Person shall, on such Division, be entitled to in the said Annuities, shall, after 24 *June* 1723, be written from the present Books of the Company into new Ledgers, with the proportional Annuities to attend the same, with proper Debits and Credits; so that the Annuities founded on this Act may be ascertain'd, and the future Transfers thereof may plainly appear.

CCXXXIII. *Señ.* 9. The said Annuities shall be free from all Taxes, Charges and Impositions whatsoever.

CCXXXIV. *Señ.* 10. Persons entitled to the said Annuities, and all claiming under them, shall be possessed thereof as a personal Estate, and the same shall not be descensible to the Heir, nor liable to any Foreign Attachment.

CCXXXV. *Señ.* 11. All the Principal Monies in the joint Stock of the *South-Sea* Annuities, shall be deemed one Capital or joint Stock, on which the Annuities shall be attending; and all Persons, in Proportion to their Annuities, shall have a Share in such Stock; and the Shares therein, and the

the proportional Annuities attending the same, shall be assignable and transferrable as this Act directs: And the *South-Sea Company* shall cause to be kept in *London*, an Office and Books, in which all Assignments or Transfers of the said Annuities shall be fairly enter'd; which Entry shall be conceived in proper Words, and signed by the Parties making such Assignments, or if absent, by their lawful Attornies; and the Persons to whom such Transfers shall be made, shall under-write their Acceptance thereof; and no other Method of transferring the said Stock and Annuities to attend the same, or any Part thereof, or Interest therein, shall be good in Law: Provided always, That any Person may bequeath the same in Writing, attested by two or more credible Witnesses; but such Legatee shall receive no Payment thereon, till so much of the said Will as relates to *South-Sea Annuities*, be enter'd in the last mentioned Office; and in Default of such Transfer or Bequest, the Stock and Annuities shall go to the Executors or Administrators.

CCXXXVI. *Señ. 12.* No Stamp-Duties shall be chargeable on any the Transfers of the said Stock or Annuities.

CCXXXVII. *Señ. 13.* The *South-Sea Company* shall, from 24 *June*, 1723, continue to enjoy in their own Right, the Residue of the said Annuities, computed in the Whole to 1,651,730 *l.* 10 *s.* 10 *d.* 2 *q.* per Annum, till 24 *June* 1727; and to amount afterwards to 1,352,099 *l.* 6 *s.* 11 *d.* 2 *q.* per Annum, till Redemption by Parliament: Which Residue, till 24 *June* 1727, is computed at 806,668 *l.* 9 *s.* 1 *d.* 1 *q.* and afterwards is to be computed at 4 *l.* per Cent. per Annum, till Redemption, as the Yearly Fund to attend the said remaining Moiety of the Capital Stock: And shall also have the whole Sums of 8000 *l.* per Annum, and 1397 *l.* 9 *s.* 6 *d.* per Annum, already settled for Charges of Management; and shall also enjoy all the Profits of Trade, and other Privileges, &c. belonging to the Company before the making of this Act: And all the Members of the Company, according to their respective Interests, shall be entitled to proportional Shares, and to all Benefits and Profits whatsoever, belonging to the Company.

CCXXXVIII. *Señ. 14.* As well the *South-Sea Company*, and their General Courts, their Courts of Directors, and Sub-Committees, and all their Officers and Ministers, as also the Members of the Company, their Executors, &c. in Respect of the remaining Moiety of the Capital Stock, and the Annuities attending the same; and in respect of the Allowances for Management, and of all the Shares and Interests of the Members, and of all Dividends, Profits, &c. shall enjoy such and the like Powers, &c. as the same Company might have exercised, if this Act had not been made:
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Subject nevertheless to such and the like Restrictions, as before the making of this Act; and all Powers, Privileges, Immunities, Pains of Death, Penalties, Disabilities, By-Laws, Directions, &c. which were in Force for securing the whole Capital Stock, or concerning Transfers; for preventing the forging of Transfers, or Powers, as for securing the Company's Trade, or for any Matter or Thing whatsoever relating to the Company, or the Members thereof, shall be revived, continued, and put in Execution, as fully and effectually, as if all the said Powers, &c. were again repeated, and particularly re-enacted in this Act; except in Cases touching which other Provisions are hereafter made by this Act.

CCXXXIX. *Señ. 15.* If any Deficiency shall happen in the Produce of the Duties, &c. charged with the joint Stock of the *South-Sea* Annuities, and attendant on the remaining Stock, and the Allowances for Charges of Management, to be continued to the Company in their own Right; then the Company shall bear a half Part of such Deficiency, till it be provided for by Parliament; and no more.

CCXL. *Señ. 16.* The *South-Sea* Company, or any Member thereof, shall not incur any Disability, for doing any Thing in Pursuance of this Act: Nor shall the present Governor, Sub-Governor, or Deputy Governor, nor any of the Directors, be deemed to be disqualify'd to continue Governor, &c. after the Separation of the Capital shall have taken Place, by Reason of their not having remaining in their own Names, or Right, so much Capital Stock, as they, before the making of this Act, were required to have for their Qualification; so as such Governor, &c. shall have in his own Name and Right, so much of the *South-Sea* Annuities, as together with the *South-Sea* Stock remaining in his own Name, shall make up the Sum in Stock, which before the making of this Act was requisite for such Qualification.

CCXLI. *Señ. 17.* At any Time after 24 June 1727, on Repayment by Parliament to the *South-Sea* Company, of the whole Capital Sum of 33,802,483*l.* 14*s.* 2*q.* viz. the Sum of 16,901,241*l.* 17*s.* 1*q.* being one Moiety of the whole Capital, for the Use of such Persons as shall then be Proprietors of the *South-Sea* Annuities; and there remaining 16,901,241*l.* 17*s.* 1*q.* being the other Moiety thereof, on Account of the Capital Stock to be continued to the Company in their own Right; and on Payment of all Arrears then due on the yearly Funds payable at the Exchequer, attending the same respectively; and on Payment of all Arrears of the yearly Sums allow'd the Company for Charges of Management; then the yearly Annuities payable at the Exchequer to the Company, in Trust for
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the *South-Sea* Annuitants, and in their own Right, as also the yearly Sums for Management, shall cease and determine.

CCXLII. *Seç.* 18. On Repayment by Parliament to the said Company, of any Sum, not less than 500,000 *l.* at a Time, in Part of the said Capital Stock; so much of the yearly Funds as shall bear Proportion to the Monies so paid in Part, shall cease.

CCXLIII. *Seç.* 19. After Redemption of the said Capital Sums, and the several yearly Funds payable at the Exchequer; then so much of the several Duties as are applicable thereto, shall be understood to be redeemed by Parliament, and shall not be applied to any Use but by Authority of Parliament.

CCXLIV. *Seç.* 20. No special Bail shall be required in any Action or Suit brought on any Contract for the Sale or Purchase of any Stock, &c. till 1 *March* 1723.

CCXLV. *Stat.* 9 *G. c.* 23. *Seç.* 1. The Time for the Court of Directors of the *South-Sea* Company being satisfy'd of the Justice of any Claims, or that any Sum of Money ought to be paid thereupon, or that the Estate, Interest or Incumbrance so claimed ought to be allow'd, and for declaring their Satisfaction therein, by any Resolution of that Court, shall be enlarged to 24 *June* 1724; and the Time for the Party's declaring their Acquiescence in such Resolution, shall be enlarged to 29 *Sept.* 1724; and the Time for the Justices and Barons determining Controversies touching Claims, shall be enlarged to 24 *March* 1724; and the Time for the said Justices and Barons transmitting to the Trustees Certificates concerning the same, shall be enlarged to 24 *June* 1725; and all the Powers, &c. given by the former Acts relating to such Claims, shall be executed and pursu'd within the respective Times hereby limited in that Behalf; and the same shall be of the like Force, and all Parties concerned shall have the like Benefit thereof, as if the same had been executed within the Times by the former Acts limited.

CCXLVI. *Seç.* 2. Such Terms of Years and Incumbrances, which on 5 *Jan.* 1720, stood assigned to, or vested in any Persons in Trust to attend or protect any of the said Estates of the late *South-Sea* Directors, &c. are hereby declared not to be intended to be vested in the Trustees by the Act 7 *G. c.* 28, and the same shall be still subsisting in the Persons to whom the same then stood assigned, their Executors, &c. and shall be kept on Foot for the Benefit of such Purchasers to whom such Estates shall be sold by the Trustees, to attend and wait upon the said Estates, and be subservient thereto.

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for the better protecting the same from meane Incumbrances.

CCXLVII. Sect. 3. Every Person who, before 24 Decr. 1723, shall voluntarily come before one of the Barons of the Exchequer, or the Trustees, and make a true Discovery in writing, upon Oath, of any Part of the Estate Real or Personal, of any of the said late Directors, &c. which have been conceal'd, shall be allow'd after the Rate of 30 *l.* per Cent. according to the Value of the Estate so discovered, being beyond the Seas; and after the Rate of 20 *l.* per Cent. if within this Kingdom; to be paid out of the said Estate; and shall also be discharged from all Penalties inflicted by former Acts for Concealment of any such Estate.

CCXLVIII. Sect. 4. All Persons within this Kingdom, who, before 23 June 1721, have accepted, or shall accept of any Trust, or have concealed, or shall conceal any Estate, Real or Personal, of any of the late South Sea Directors, &c. and shall not, before 24 Decr. 1723, truly discover such Trust and Estate, in Writing, to one of the Barons of the Exchequer, or to the Trustees, shall forfeit treble the Value of the Estate so concealed; one Moiety to the Crown, the other to the Prosecuor, to be recover'd by Action of Debt, &c. (In which Cases Costs shall be allow'd to the Prosecutor;) and shall also be imprison'd for one whole Year, without Bail or Mainprize.

CCXLIX. Sect. 5. All Persons claiming any Interest in the third or fourth Subscriptions, as Original Subscribers in their own Names, or the Names of any others in Trust for them, their Executors, &c. who by 24 June 1723, shall not have been allow'd Stock of the Company, shall, by the said 24 Decr. 1723, by Memorials in Writing under their Hands and Seals, to be register'd in the Books, to be kept by the Company for that Purpose, set forth and claim their Titles to their Shares in the said Subscriptions, and how the same did arise; and in Default of such Claim, the Subscription shall be void, and the Money paid in thereupon, shall remain to the Use of the Company.

CCL. Sect. 6. Nothing herein shall extend to alter, corroborate or enervate, or any wise affect the Force or Construction, either in Law or Equity, of any Contract between Persons for the Sale or Purchase of any Part of the said Subscriptions; but such Contracts, whether such Claim of Right be or be not set forth and enter'd as by this Act is required, shall, as between the Parties thereto, remain and be of the same Force, as if this Act had not been made.

CCLI. Sect. 7. Persons having borrow'd Monies on *South-Sea* Stock, who have lapsed the Times of Payment, their Heirs, Executors, &c. who shall pay to the Cashier of the Company so much Money, as a Rate of 10 *l. per Cent.* to be computed on the Sums borrow'd, shall amount to; to wit, one Moiety thereof by 24 Dec. 1723, with Interest from 25 Dec. 1721; and the other Moiety by 24 June 1724, with Interest from 25 June 1722, to the Day of Payment thereof; such Interest to be computed after the Rate of 5 *l. per Cent.* or so much Money as together with any former Payments made by them, shall amount to the Rate of 10 *l. per Cent.* on the Sums borrowed, together with Interest for the Sums remaining unpaid, from the Days on which the same ought to have been paid; shall be discharged from all further Demands of the Company; and all the Stock and Subscription-Receipts, transferred or pledged for Security of the Sums borrowed, together with all Dividends and Profits belonging thereto, shall be absolutely vested in the Company.

CCLII. Sect. 8. Brokers, or others having acted as such for Brokerage, who, since 25 March 1720, have borrow'd Money from the *South-Sea* Company, on Shares in the Company's Stock, or on Receipts given for any Payments made on their Money Subscriptions, where such Stock or Receipts were actually transferred or pledged for the Use of the Company, at the Time of borrowing or within 21 Days after, their Heirs, Executors, &c. who have paid, or by 24 June 1723 shall pay to the Cashier of the Company so much Money, as at a Rate of 20 *l. per Cent.* to be computed on the Sums so borrowed, together with Interest for the Sums remaining unpaid, from 25 Dec. 1721, to the Day of Payment thereof, at the Rate of 5 *l. per Cent. per Annum*, shall, on such Payment, or being tender'd and refused, be discharged from all further Demands of the Company in Respect of the Money so borrow'd on Stock or Subscription-Receipts; and all the Stock and Subscription-Receipts so transferred or pledged, with all the Dividends and Profits belonging thereto, shall be vested in the Company.

CCLIII. Sect. 9. All Persons having Debts, contracted before 5 Jan. 1720, justly due to them from the late *South-Sea* Directors, &c. or having any Interest in the Estates vested in the Trustees, which are specify'd in the Inventories, that have been deliver'd in, and not already claimed, may enter their Claims before the Trustees, on or before 24 June 1723; and the same shall be proceeded upon and determin'd in such Manner, as concerning the Claims, enter'd within the Times limited by the former Act, is thereby directed.

CCLIV. *Señ.* 10. No Sale, Contract for Sale, Disposition or Application of any Estates or Effects of the late *South-Sea* Directors, &c. which have already been, or before 24 *May* 1723, shall be made by the Trustees, pursuant to the former Act, shall be hereby avoided; but the said Estates shall be held by the Purchasers, free and discharged, both in Law and Equity, of and from all Debts, particular Estates, Interests and Incumbrances, which may be claimed in Pursuance of this Act; but such Debts, Interests and Incumbrances, for which Claims shall be so enter'd, allow'd, and adjusted as aforesaid, shall be paid by the Trustees out of such other Estates and Effects as shall remain in their Hands.

CCLV. *Señ.* 11. Any Person knowingly and fraudulently claiming under any forged Deed, or satisfy'd Security, Mortgage, &c. and who shall so far insist thereon, as to complain to the Court of Record erected by the former Act; and the same be adjudg'd against him, being thereof convicted by due Course of Law, shall forfeit for the Use of the Company, for every Offence, the Value of the Estate, Debt or Thing so wrongfully claimed; to be ascertained by the said Court of Record, and recovered with Costs of Suit, by Bill, Plaint, &c.

CCLVI. *Señ.* 12. All Actions, Suits, and Proceedings, in any Court of Law or Equity, (other than by Way of Complaint in the said Court of Record) for Recovery of any such Debts, &c. as are specify'd in the Inventories, delivered in upon Oath as aforesaid, or in the subsequent Accounts deliver'd to the Trustees, or which shall by Force of this Act, be claimed before the said Trustees, as due from any of the said late Directors, &c. which have been or shall be commenced against the said late Directors, &c. their Heirs, Executors, &c. or against the Trustees; and all Judgments, Decrees, &c. obtained thereon, shall be null and void, and shall upon Motion in open Court, where the same are depending, be non-pros'd, dismiss'd, or otherwise vacated, as to and in Respect only of the said late Directors, &c. and the Trustees.

CCLVII. *Señ.* 13. Claims made before the Trustees, by Persons residing in *Great Britain*, on Behalf of Persons in *India* or *America*, within the Time limited by the former Act, may be heard and finally determined, in such Manner as the same might have been, if such Claims had been made and sign'd by the Parties on whose Behalf they were made.

CCLVIII. *Señ.* 14. The Act 7 *Geo.* 2. 28. and this present Act, shall be taken to be publick Acts, and shall be judicially taken Notice of as such, by all Judges, &c. without specially pleading either of the same.

CCLIX.

CCLIX. Stat. 10 G. c. 14. Sect. 1. The Time for the Court of Directors of the *South-Sea Company*, being satisfy'd of the Justice of any Claim, or that any Debt or Sum of Money ought to be paid thereupon; or that any Estate, Interest, or Incumbrance, so claimed, or any Part thereof, ought to be allow'd; and for declaring their Satisfaction therein, by any Resolution of the said Court, shall be enlarged to 24 Dec. 1726; and the Time for the Justices and Barons to hear and determine Differences and Controversies, relating to such Claims, shall be enlarged to 24 June 1727; and the Time for the said Justices and Barons to transmit to the Trustees the Certificates concerning the same, shall be enlarged to 29 Sept. 1727: And all Powers and Directions given by the former Acts, relating to such Claims, may be executed and pursued within the Times hereby limited, and shall have the like Force; and all Parties concerned shall have the like Benefit thereof, as if the same had been executed within the Times by the former Acts limited.

CCLX. Sect. 2. After 20 May 1724, the Time for the Parties declaring their Acquiescence in any Resolution of the Court of Directors, touching their Debt, Estate, &c. so claimed; and the Time for making Complaints by any Claimant, whose Claim shall not be liquidated or adjusted between the Court of Directors, and such Claimants shall be within 30 Days next after personal Notice in Writing given to the Claimants, or publick Notice in the *Gazette*, of the Court of Directors having come to any Resolution; and all Complaints not made within the said Times, shall be void; and the Justices and Barons are discharged from proceeding thereon: And if no Acquiescence be declared within 30 Days next after such personal or publick Notice, the Claimants shall be deemed to have acquiesced, and the Trustees may proceed thereupon in like Manner, as if the Claimants had declared and signed their Acquiescence.

CCLXI. Sect. 3. Where any of the Wives of the Persons whose Estates are vested in the Trustees, had, or on the Decease of their Husbands may have, or shall be entitled to any Right or Title of Dower, the same shall not be deemed to be null or barred by Virtue of the Act 7 G. c. 28, though the same were not claimed in Pursuance thereof; and it shall be lawful for the said Trustees, or any three of them, with the Consent of the Court of Directors, to compound for any such Jointure, and for any Right of Dower, which such Wife had, or may hereafter have, in such Estates; for such Sums of Money, and upon such other Conditions, as the Trustees shall think fit: Which

Sums shall be paid by the Cashier of the Company, out of the Money arising from such Persons Estates respectively, as the Trustees by Warrant under their Hands shall direct.

CCLXII. *Seç. 4.* The Trustees, with such Consent as aforesaid, shall make suitable Allowance to such Wives, having Title of Dower in Estates already sold, as shall be reasonable for their Title therein; and if any Differences shall arise between such Wives and the Trustees, and the Court of Directors, the Justices and Barons shall, on Complaint by the Trustees or such Wives, settle such Differences; whose Determinations shall be final.

CCLXIII. *Seç. 5.* The Purchasers of such Estates already sold, free of such Title of Dower, their Heirs, &c. shall hold and enjoy the Manors, Lands, &c. so by them purchased, freely discharged from all such Right or Title of Dower, to which the same was, or hereafter may be liable; and all Purchasers of such Estates hereafter to be sold, after such Composition for the same, as aforesaid, their Heirs, &c. shall hold the same free and clear from all Jointures, Right or Title of Dower.

CCLXIV. *Seç. 6.* Nothing in this Act shall be construed to give any Right or Title of Dower to any Wife of the said Persons, whose Estates are vested in the Trustees, who, by Deed or Writing made before their Marriage, have accepted or agreed to take any Settlement or Provision, in Lieu of Dower or Thirds, out of their Husbands Estates. Provided, That nothing herein shall extend to entitle any Wife or Widow of any of the late Directors, &c. to claim any Dower out of any Estate purchased since 1 Dec. 1719.

CCLXV. *Seç. 7.* The Titles of the Purchasers of Manors, Lands, &c. which have been or shall be sold by the Trustees, are and shall be good in Law, as well where the late Directors, and others whose Estates are vested in the Trustees, shall not release and convey their Right and Title to their Real and Personal Estates, as where they have.

CCLXVI. *Seç. 8.* No special Bail shall be required in any Action brought, or to be brought, on any Contract for Stock or Subscriptions in the South-Sea Company, or any other Company or Corporation, or pretended Company or Corporation, made between 1 Dec. 1719, and 1 Dec. 1720, till 1 March 1724, and from thence till the End of the then next Session of Parliament.

CCLXVII. *Seç. 9.* It shall be lawful for the Trustees, with the Consent of the Court of Directors of the South-Sea Company, to settle on the Children of William Astell, one of the late Directors, a competent Part of his Estate, at or near

near *Everton*, in the Counties of *Bedford* and *Huntingdon*, pursuant to Marriage-Articles; and in Performance thereof, and for the better perfecting such Settlement, and securing the Benefit thereof to his said Children, the Trustees may compound with the said *William Astell* for the Purchase of his present Estate, during his Life, with the Powers and Privileges belonging to the same; and for his Reversion in Fee expectant on the Estates-Tail in his Children, for such Price as they shall think fit; and for the Purchase of any Surplus of the said Estate near *Everton*, above the Clear yearly Rent of 300*l.* to be paid to the Cashier of the Company.

CCLXVIII. *Señ. 10.* Colonel *Thomas Sydney* and *Mary* his Wife, at any Time before 24 *June* 1724, may enter their Claim of any Debt or Demand, due from *Robert Knight*, or his Estate, before the Trustees, in such Manner as by the said A*ct* of 7 *G.* is directed; and such Claim shall be heard and determined, as if it had been enter'd within the Times by the former A*cts* limited for entering Claims.

CCLXIX. *Señ. 11.* The Time for *John Elwick* of *London* Merchant, *Sir Charles Vernon*, and *George Vernon* Esq; their respective Executors, &c. making their Claims to three Sums in the third Subscription, *viz.* *John Elwick* to 1000*l.* *Sir Charles Vernon* to 200*l.* and *George Vernon* to 700*l.* shall be enlarged to 24 *June* 1724, and their Claims shall be as good and effectual, and they shall have the like Relief, Remedy and Benefit, as if the same had been enter'd within the Time, and in such Manner as is directed by the said A*ct* 7 *G.*

Spices.

I. Stat. 6 *G. c.* 21. *Señ. 45.* In every Licence to be granted after 1 *Aug.* 1720, in Pursuance of the A*cts* 3 & 4 *A. c.* 4, and 8 *A. c.* 7, for the Importing of Nutmegs, Cinnamon, Cloves, Mace and Tea, shall be expressed the Quantity and Quality of the said Spices and Tea, and the Port into which they are intended to be imported, and if any greater Quantity shall be imported than what is expressed in the said Licence, the same shall be deemed to be imported without a Licence; and such Licence shall be granted without Fee by the Commissioners of the Customs, or three of them, or by the Customer, or Collector and Controller of the Port, into which the said Spices and Tea are to be imported; so as all Nutmegs, Cloves, Mace and Cinnamon, to be imported by Virtue of such Licence, from Places beyond the Seas, other than directly from the *East-Indies*, be

not in any other Package than in Casks or Bales; and each Cask of Nutmegs, Cloves or Mace, to weigh neat 300 lb. or upwards, and each Bale of Cinnamon 70 lb. neat or upwards.

II. *Señ.* 46. The Licence so taken out for Spice or Tea, shall be delivered to the Merchant demanding the same; and shall be produced and deliver'd up by the Master, Purser, or other Person taking Charge of the Ship wherein such Spice or Tea shall be imported, with the Name of the Ship and Master, together with the Marks and Numbers of each Cask, Bale or Parcel, and the Quantity and Quality of such Spice or Tea, endorsed on the Back thereof, to the Collector and Controller of the Port into which the same shall be imported, at the Time of entring the Ship.

III. *Señ.* 47. If any of the said Spices shall be found on board any Ship, in Bags or other small Parcels, pack'd in Hogsheds, Casks or Bales, the same shall be forfeited, one Moiety to the King, the other to the Informer or Prosecutor in any Court of Record at *Westminster*, or in the Court of Exchequer in *Scotland*, wherein no *Essoin*, Protection or Wager of Law shall be allowed.

IV. *Stat.* 8 G. c. 15. *Señ.* 15. After 25 *March* 1722, the Duties on Pepper imported directly from the Place of its Growth in *English-built* Shipping, amounting to 1 s. 11 d. 2 q. per lb. shall, for such Pepper which thenceforth shall be deliver'd from the proper Warehouses for Home-Consumption, (without altering the Half Subsidy now payable on the Importation thereof) be reduced to pay 4 d. per lb. and no more.

V. *Señ.* 16. The Value of the Pepper shall be esteem'd at 6 s. 8 d. per lb. upon which Value 12 d. in the Pound doth amount to the said Sum of 4 d. per lb. and the said esteem'd Value of 6 s. 8 d. per lb. shall be divided as follows, in Order to compute the several Duties hereafter to be paid thereon; viz. To the old Subsidy, 5 d. and one 3d Part of a Penny; To the further Subsidy, 3 d. and one 3d Part of a Penny; To the one third Subsidy, and two third Subsidy, 3 d. and one 3d Part of a Penny; To the old Impost 10 d. and to the new Duty 5 s. And the said Sum of 4 d. in the Pound shall be applied to the said several Subsidies and Duties accordingly.

VI. *Señ.* 17. After 25 *March* 1722, the Duties upon Mace, Cloves and Nutmegs imported, shall be computed as if they had been valued in the Book of Rates at the Values following, viz. Mace 6 s. Cloves 4 s. Nutmegs 3 s. per lb. according to which Values there shall be paid; For every Pound-Weight of Mace imported, 3 s. of Cloves, 2 s.

and of Nutmegs 1 s. 6 d. and no more: Which Sums shall be applied to the said several Subsidies and other Duties, in such Proportions as 10 s. bear to 3 s. for Mace, as 5 s. to 2 s. for Cloves, and as 4 s. to 1 s. 6 d. for Nutmegs.

VII. *Seçt.* 18. The Importation of Mace, Cloves and Nutmegs, shall be subject to the same Rules in taking forth the Licences, and other Rules and Restrictions, to which they were subject before the making this Act.

VIII. *Seçt.* 19. The reduced Duties on Pepper delivered out of the Warehouses for Home-Consumption, and on Mace, Cloves and Nutmegs imported, shall have the like Continuances, and be raised, &c. as the present Duties have and are.

IX. *Seçt.* 20. The several Sums for these reduced Duties shall be applied to the same Uses as the present Duties are; and all the Powers, &c. in former Acts shall be continued as fully as if they were herein again repeated.

X. *Seçt.* 21. On Exportation of Mace, Cloves, or Nutmegs within the Time allowed by Law, for which the Duties hereby chargeable have been paid or secured, there shall be allowed certain Drawbacks as shall bear the like Proportion to the Sums charged by this Act, as the former Drawbacks allowed on Mace, &c. exported, did bear to the Duties thereon: Which proportional Drawbacks shall be made according to such Rules, &c. as Drawbacks are allowed according to any Laws relating to the Customs.

XI. *Stat.* 3 G. 2. 18. *Seçt.* 21. If the Master, Purser, or other Person, taking Charge of any Ship importing Nutmegs, Cloves, Mace, or Cinnamon, from any Place beyond the Seas, other than directly from the *East Indies*, shall not deliver up his Licence for Importation, to the Collector and Controller of the Port into which the said Spices shall be imported, at the Time of his Entering the Ship, regularly endorsed, as by 6 G. 2. 21, is directed, and also annex such Licence to the Entry or Report of the Ship; and in Case each Cask of Nutmegs, Cloves, or Mace so imported, shall not contain neat 300 lb. and each Bale of Cinnamon, neat 70 lb. as by the said Act is likewise directed: In any of the said Cases such Nutmegs, &c. shall be forfeited, and deemed to be imported without a Licence; and such Spices, as also the Ship importing them, may be prosecuted by any Act now in Force relating to the Customs, as if it had been imported without Licence.

Stamp Duties.

I. Stat. 6 G. c. 21. Sect. 56. All Mayors, Town-Clerks, and others, who shall take Recognizances from Persons for whom Ale-Licences are intended for selling Ale, and other exciseable Liquors, shall be obliged to make out Ale-Licences duly stampd, before such Recognizances be taken, under the Penalty of 10*l.* for every Offence: And all Penalties and Provisions given and laid on by this Act, and by the Act 1 A. c. 22, for the Punishment and Prevention of such Frauds and Omissions as are herein and therein mentioned, relating to the Stamp-Duties then in Being, shall extend to the Frauds and Omissions relating to any Stamp-Duties imposed since the making the said Act of 1 A. to be sued for, recovered and divided as is thereby directed.

II. Sect. 60. Any Person causing or procuring to be forged or counterfeited any Stamp or Mark to resemble any Stamp or Mark provided or used in Pursuance of any Act relating to the Stamp-Duties; or causing or procuring any Vellum, Parchment, Paper, Cards or Dice to be marked or stamp'd with such counterfeit Stamp or Mark, shall be adjudged to have actually committed the same himself, and to be a Felon; and shall suffer Death as in Cases of Felony, without Benefit of Clergy.

Sweets

I. Stat. 6 G. c. 21. Sect. 22. If after 1 Aug. 1720, any Sweets made in Great Britain for Sale, for which the Duties have been paid, or charged by the proper Officer of Excise, are intended to be sent from one Place to another, the Officers of Excise of the Place from whence such Sweets are sent, shall, upon Request, and without Fee, give Certificates under their Hands, expressing the Quantity and Quality of such Sweets, and the Names of the Persons from and to whom sent. And if any Maker of Sweets shall send or remove any such Sweets from one Place to another; or if any Vintner shall receive the same, without such Certificate: every such Maker of Sweets, and every such Vintner shall forfeit 10*s.* for every Gallon of Sweets so sending or removing, or sent or removed; and the Casks and Vessels containing the same shall be forfeited, and may be seized by any Officer of Excise; one Moiety to the King, the other to the Seizor. And every Seizure of such Sweets, and of the Casks, &c. and all other Forfeitures, which after the

said 1 Aug. 1720, shall be made by Virtue of this or any other Act relating to the Duties of Excise, or any other Duties under the Management of the Commissioners of Excise, shall be proceeded upon, adjudged and determined in the same Manner, as is herein prescribed for the Seizures of Brandy, &c. [See Brandy] and such Proceedings shall not be liable to Appeals, or to be removed by *Certiorari*.

Taxes.

I. Stat. 6 G. c. 1. An Act for granting to his Majesty an Aid by a Land-Tax to be raised in Great Britain, for the Service of the Year 1720.

By this Act the Sum of 1,529,263 l. 3 s. 1 d. 2 q. is enacted to be raised in Great Britain: Whereof 1,493,297 l. 12 s. 3 d. Part of the said Sum, to be raised in one Year from 25 March 1720, in England, &c. by a Pound-Rate on all Lands, &c. and 3 s. in the Pound on Personal Estates, &c. And 35,965 l. 10 s. 10 d. 2 q. Residue of the said Sum, to be raised in Scotland by an eight Months Cess of 4495 l. 13 s. 10 d. and five sixteenth Parts of one Penny, of lawful Money of Great Britain, for every Month, out of the Land-Rent: In this Act there is a Clause of Loan for any Sum not exceeding 1,410,000 l. with Interest at 5 l. per Cent. and the Money lent to be Tax-free.

II. Stat. 6 G. c. 11. Sect. 43. All the Monies granted this Session of Parliament shall be appropriated as follows, viz. 88,049 l. 3 s. 1 d. and one fifth Part of a Penny, to make good the Deficiency of the General Fund for the Year ended at Michaelmas 1719.

III. Sect. 44. 1,397,733 l. 16 s. 3 d. and five tenth Parts of a Penny, for the Naval Services following, viz. 377,561 l. 6 s. 9 d. 2 q. for making good several extraordinary Expenses for the Service of the Navy, and the Victualling thereof, for the Year 1719, not provided for by Parliament. 919,918 l. 10 s. 8 d. for the Ordinary of the Navy, and for Half-Pay to Sea-Officers, and for Victual, Wages, Wear and Tear of the Navy, and Victualling thereof, and for Sea-Services in the Office of Ordnance, and other Services of the Navy, perform'd and to be perform'd. 79,723 l. for Repairs of the Navy, and 20,530 l. 18 s. 10 d. for extraordinary Charge of Transport-Service for the Year 1719, not provided for by Parliament.

IV. Sect.

IV. *Seff.* 45. 81,725 *l.* 2 *s.* 2 *q.* for the Charge of the Office of Ordnance for Land-Services; and for making good the Exceedings in that Office in the Year 1719.

V. *Seff.* 46. 926,643 *l.* 16 *s.* 8 *d.* for maintaining the Land-Forces, and other Services, *viz.* 563,508 *l.* 15 *s.* for the Charge of 14,469 effective Men, (including Commission and Non-Commission Officers, and 2034 Invalids) for Guards and Garrisons, and other Land-Forces in *Great Britain, Jersey and Guernsey*, for the Year 1720. 148,035 *l.* 9 *s.* 6 *d.* 2 *q.* for Maintaining the Forces and Garrisons in the Plantations, *Minorca*, and *Gibraltar*, and for the Garrisons at *Annapolis* and *Placentia*, for the Year 1720. 16,331 *l.* 10 *s.* for Out-Pensioners of *Chelsea* Hospital, for the Year 1720. 99,768 *l.* 2 *s.* 1 *d.* 2 *q.* for extraordinary Expences for the Land-Forces for the Year 1719, not provided for by Parliament; and 99,000 *l.* on Account of Half-Pay for the Year 1720, to the reduced Officers of his Majesty's Land-Forces and Marines.

VI. *Seff.* 47. Such Sums as shall be due to the Commissioners for taking, &c. the Debts due to the Army, for their Salaries, or Clerks, or other Incident Charges, may be paid out of the Aids granted this Session.

VII. *Seff.* 48. Rules to be observed in the Application of the 99,000 *l.* above appropriated for Half-Pay. *The same Rules as in 4 G. c. 3. which see in Vol. 5, Tit. Half-Pay Officers.*

VIII. *Seff.* 49. So much of the Sum of 110,000 *l.* appropriated by 5 G. c. 19, to be paid to reduced Officers for Half-Pay for the Year 1719, as is more than sufficient to satisfy the said Officers, according to the Rules by that Act prescribed to be observed in the Application thereof, may be disposed to such Officers who were maimed, or lost their Limbs in the late Wars, or to such as by Reason of their long Service, or otherwise, his Majesty shall judge to be proper Objects of Charity, or to the Widows or Children of such Officers, according to such Warrants under the Royal Sign Manual, as shall be signed in that Behalf.

IX. *Stat.* 7 G. c. 4. An Act for granting an Aid to his Majesty by a Land-Tax to be raised in *Great Britain*, for the Service of the Year 1721.

*This Act was for raising the Sum of 1,529,235 *l.* 17 *s.* 1 *d.* 2 *q.* in Great Britain: Whereof 1,493,270 *l.* 6 *s.* 3 *d.* to be raised in England in one Year from 25 March 1721, by a Pound-Rate, &c. and 3 *s.* in the Pound on Personal Estates: And the Residue, being 35,965 *l.* 10 *s.* 10 *d.* 2 *q.* to be raised in Scotland by an eight Months Cess of 4495 *l.* 13 *s.* 10 *d.* and five sixteenth Parts of*

of a Penny, for every Month, out of the Land-Rent. In this Act there is a Clause of Loan for 1,410,000 l. with Interest at 6l. per Cent. and the Money lent to be Tax-free.

X. Stat. 7 G. c. 20. Sect. 28. All the Principal Sums which on 23 June 1721, shall remain unsatisfy'd on the Register for the Duties on Malt, &c. granted in the Year 1719, with the Interest for the same, and all the Orders of Loan for such unsatisfy'd Principal and Interest, shall be transferred to, and placed upon the Register for Orders appointed to be kept for Repayment of Loans on the Land tax of this present Year: so that the Principal Sums thereof shall be paid in Course next after the Sum of 900,000 l. lent on the said Land-Tax; and the Interest thereof shall be paid every three Months till Satisfaction of the Principal: Which Transferences shall be made without making Issues, or taking any Receipts of the Parties, in Order to transfer the said Loans.

XI. Sect. 29. Like Clause as above Par. VIII. for disposing of so much of the Sum of 99,000 l. appropriated by 6 G. c. 11, on Account of Half-Pay, as shall be more than sufficient to satisfy the reduced Officers.

XII. Sect. 36. The Treasury may cause such Sums as they shall judge reasonable, to be paid and allow'd to the Receivers General of the Land-Taxes and Duties on Houses, their Sureties, Executors, &c. as well for the Time past as for the future, for their extraordinary Charges in remitting and paying into the Exchequer the Money, over and above the Poundage allowable by the respective Acts of Parliament for the said Taxes and Duties, out of the Overplus Monies arisen, or to arise by any Land-Tax, after discharging all the Principal and Interest-Monies charged thereupon by Parliament.

XIII. Sect. 37. To the End the Sum of 8590 l. 16 s. 8 d. 2 q. being the Remainder of a Debt due on the Duty on Hops, with the Interest due for the same after the Rate of 6l. per Cent. for several Years past, may be justly satisfy'd, and a Stop put to the growing Interest at the said Rate, the growing Duty on Hops having been made Part of the Aggregate Fund; Enacted, That the Sum of 1168 l. 8 s. 5 d. 2 q. remaining in the Exchequer, with so much of the Overplus Monies of the said Aggregate Fund, as will be sufficient to discharge the said Sum of 8590 l. 16 s. 8 d. 2 q. and all the Interest incurred, or to grow due thereon, shall be issued and applied thereunto.

XIV. Sect. 38, 39. All the Monies granted this Session of Parliament, shall be appropriated in Manner following, viz. 82,793 l. 19 s. 10 d. and seven tenth Parts of a Penny

to make good the Deficiency of the Fund commonly called the General Fund, for the Year ended at *Michaelmas* 1720.

XV. *Señ.* 40. The Sum of 739,049 *l.* 14 *s.* for defraying the Charge of the Ordinary of the Navy, and for Half-Pay to the Sea-Officers, and for Viñual, Wages, Wear and Tear of the Navy, and the Viñualling thereof, and for Sea-Services in the Office of the Ordnance, and other Services of the Navy; and 50,200 *l.* for extraordinary Repairs of the Navy.

XVI. *Señ.* 41. 93,168 *l.* 13 *s.* 11 *d.* for defraying the Charges of the Office of Ordnance for Land-Services, and for several extraordinary Expences of that Office for Land-Services, for the Year 1720, not provided for by Parliament.

XVII. *Señ.* 42. 832,174 *l.* 4 *s.* 8 *d.* 2 *q.* for maintaining the Land-Forces, and other Services, *viz.* 567,070 *l.* 3 *s.* 4 *d.* for defraying the Charge of 14,294 Effective Men (including Commission and Non-Commission Officers and Invalids) for Guards, Garrisons, and other Land-Forces in *Great Britain*, *Guernsey* and *Fersey*, and other Services relating to the Forces for the Year 1721: 150,743 *l.* 13 *s.* 4 *d.* 2 *q.* for maintaining the Forces and Garrisons in the Plantations, *Minorca* and *Gibraltar*, and for Provisions for the Garrisons at *Annapolis-Royal*, *Placentia* and *Gibraltar*, for the Year 1721: 15,278 *l.* 8 *s.* 9 *d.* on Account of Out-Pensioners of *Chelsea* Hospital for the Year 1721: 4,581 *l.* 19 *s.* 3 *d.* for defraying several extraordinary Expences for the Service of the Land-Forces for the Year 1720, not provided for by Parliament; and 94,500 *l.* on Account of Half-Pay for the Year 1721, to be paid to the reduced Officers, subject to the Rules herein after prescribed.

XVIII. *Señ.* 43. 72,000 *l.* for making good the Engagements his Majesty has enter'd into with the Crown of *Sweden*; and 23,935 *l.* to be applied to the Satisfaction of the Masters, Owners and Freighters, of the *Bristol-Merchant*, and *Turkey-Merchant*, which are intended to be burnt or destroy'd for Preservation of his Majesty's Subjects against Infection.

XIX. *Señ.* 44. The said Aids shall not be issued or applied to any other Purpose.

XX. *Señ.* 45. Proviso, That the Sums due to any Commissioners for stating, &c. the Debts due to the Army, for their Salaries, or for their Clerks, or other incident Charges, may be paid out of the Aids aforesaid.

XXI. *Señ.* 46. The same Rules to be observed in the Application of the 94,500 *l.* for Half-Pay, as in 4 G. c. 3. *Señ.* 18. which see in Vol. 5. Tit. Half-Pay Officers.

XXII. *Stat.*

XXII. Stat. 7 G. c. 27. Sect. 27. The Sum of 2,916 l. 3 s. 1 d. remaining in the Exchequer for Overplus Monies of the particular Duties on Salt, charged towards making good the *East-India* Company's yearly Fund of 160,000 l. per Annum, and so much of the Monies now remaining in the Exchequer, of the Surplusses, &c. called the Sinking Fund, as (together with the said Sum of 2,916 l. 3 s. 1 d.) shall compleatly make up the Sum of 191,028 l. 16 s. 6 d. 2 q. (being a Deficiency in the said yearly Fund of the *East-India* Company, of several Sums computed for several Years ended at Michaelmas 1719) shall be issued and paid to the said Company, or their Treasurer, for their Use, in full Satisfaction of the said Deficiency; and the Treasury shall cause the same to be issued and paid accordingly without farther Warrant.

XXIII. Stat. 8 G. c. 1. An Act for granting an Aid to his Majesty by a Land-Tax to be raised in Great Britain, for the Service of the Year 1722.

This Act was for raising the Sum of 1,019,412 l. 10 s. 9 d. in Great Britain, whereof 995,435 l. 10 s. 2 d. to be raised in England in one Year from 25 March 1722, according to the Proportions on the several Counties, &c. set down in the Act, and 2 s. in the Pound on Personal Estates: And the Residue, being 23,977 l. 7 d. to be raised in Scotland, by an eight Months Cess of 2,997 l. 2 s. 6 d. and seven Eighth Parts of one Penny per Menssem out of the Land-Rent. In this Act there is a Clause of Loan for 940,000 l. with Interest at 5 l. per Cent. per Ann. and the Money lent to be Tax-free.

XXIV. Stat. 8 G. c. 2. Sect. 3. All the Principal Sums lent upon the Act which granted the Duties on Malt, &c. from 23 June 1720 to 24 June 1721, and which on 15 Dec. 1721 shall remain unsatisfy'd, with the Interest for the same, and all the Orders of Loan for such unsatisfy'd Principal and Interest, shall be transferred to the Register for Orders for Repayment of Loans upon Credit of the Land-Tax granted for the Service of the Year 1722; so that the Principal Sums thereof shall be paid in Course, next after the Sum of 600,000 l. to be register'd thereon: And the Interest of the Loans so transferred, shall be payable every three Months till Satisfaction of the Principal: Which Transferences shall be made without Issues, or taking any Receipts of the Parties, in Order to transfer the said Loans.

XXV. Stat.

XXV. Stat. 8 G. c. 20. Sect. 35. All the Monies granted this Session, shall be appropriated as follows, viz. 111,532 l. 13 s. 9 d. and one fifth Part of a Penny, to make good the Deficiency of the General Fund, for raising 724,849 l. 6 s. 10 d. and one fifth Part of a Penny *per Annum*, for the Year ended at *Michaelmas* 1721.

XXVI. Sect. 36. The Sum of 1,607,894 l. 4 s. 4 d. and one fourth Part of a Penny, for defraying the Charge of the Ordinary of the Navy; and for Half-Pay to Sea-Officers, and for Victual, Wages, Wear and Tear of the Navy and the Victualling thereof; and for Sea-Service in the Office of Ordnance; and towards discharging the Debt of the Navy, as it stood at *Michaelmas* 1721; and for other Services of the Navy.

XXVII. Sect. 37. 93,116 l. 11 s. 11 d. and three fourth Parts of a Penny, for defraying the Charge of the Office of Ordnance for Land-Services; and towards supplying his Majesty's Stores with Salt-Petre; and rebuilding the Gun-Wharfs at *Chatham* and *Plymouth*; and other extraordinary Services to be performed by the Office of Ordnance in the Year 1722; and for defraying several extraordinary Expences of the said Office in 1721, not provided for by Parliament.

XXVIII. Sect. 38. 844,471 l. 12 s. 10 d. 2 q. for maintaining the Land-Forces, and other Services, viz. 568,932 l. 13 s. 4 d. for defraying the Charge of 14,204 effective Men (including Commission and Non-Commission Officers, and Invalids) for Guards, Garrisons, and other Land-Forces in *Great Britain*, *Fersey* and *Guernsey*, for the Year 1722: 150,743 l. 13 s. 4 d. 2 q. for the Forces in the Plantations, *Minorca* and *Gibraltar*, and for Provisions for the Garrisons at *Annapolis-Royal*, *Placentia*, and *Gibraltar*, for the Year 1722: 15,000 l. upon Account of the Out-Pensioners of *Chelsea* Hospital for the same Year: 20,795 l. 6 s. 2 d. for several extraordinary Expences for the Land-Forces, and for Provisions, and to satisfy several Clothiers Assignments, not before provided for by Parliament; and 89,000 l. for Half-Pay to reduced Officers of the Land-Forces and Marines; subject to the Rules hereafter prescribed.

XXIX. Sect. 39. The said Supplies shall not be added or applied to any other Use or Purpose.

XXX. Sect. 40. Proviso, That the Commissioners for taking and stating the Debts due to the Army, their Clerks and other incident Charges, may be paid out of the Supplies aforesaid.

XXXI. *Stat.* 41. The same Rules to be observed in the Application of the 89,00 l. for Half-Pay, as in 4 G. c. 3. which see as directed above, Par. XXI.

XXXII. *Señ.* 42. Like Clause as above, Par. VIII. for disposing of so much of the Sum of 94,5000 l. granted by 7 G. c. 20, upon Account of Half-Pay for the Year 1721, as shall be more than sufficient to satisfy the reduced Officers.

XXXIII. *Stat.* 9 G. c. 2. An Act for granting an Aid to his Majesty by a Land Tax to be raised in Great Britain for the Service of the Year 1723.

This Act was for raising the Sum of 1,019,356 l. 7 s. in Great Britain: Whereof 995,379 l. 6 s. 5 d. to be raised in one Year from 25 March 1723, in the several Counties, &c. in England, Wales and Berwick, according to the several Proportions set down in the Act, and 2 s. in the Pound on Personal Estates, &c. And the Residue, being 23,977 l. 7 d. to be raised in Scotland by an eight Months Cess of 2,997 l. 2 s. 6 d. and 7 Eighth Parts of a Penny per Menssem, out of the Land-Rent. In this Act there is a Clause of Loan for one Million, with Interest at 3 l. per Cent. so as such Loans be made by 1 March 1722. And then the Act proceeds as in Tit. Exchequer-Bills, Par. LXXXV. *quod vide.*

XXXIV. *Señ.* 162. All the Monies of the Sinking Fund, (except such as by this or any Act of any former Session are specially charged thereon) shall be appropriated and reserved for discharging national Debts incurred before 25 Dec. 1716, and declared to be such national Debts as may be redeemed, and are provided for by Parliament, in such Manner as shall be directed by any future Act.

XXXV. *Señ.* 164. The Sum of 18,243 l. 1 s. 2 d. 2 q. remaining in the Exchequer, for Arrears of several Land-Taxes payable in the Year 1719, or before, shall be issued and applied as Part of his Majesty's Supply for the Service of the Year 1723.

XXXVI. *Stat.* 9 G. c. 5. *Señ.* 33. Like Clause as above, Par. XXXIV. for appropriating to like Uses all the Monies of the Sinking Fund, except appropriated Monies, &c.

XXXVII. *Stat.* 9 G. c. 18. An Act for granting an Aid to his Majesty by laying a Tax upon Papists, &c. See Papists.

XXXVIII. *Stat.* 9 G. c. 19. *Señ.* 44. All the Monies granted this Session of Parliament, shall be appropriated, viz. 84,252 l. 4 s. 6 d. to make good the Deficiency, of the General Fund for the Year ended at Michaelmas 1722.

XXXIX.

XXXIX. *Seff.* 45. 736,388 *l.* 14 *s.* 8 *d.* 2 *q.* for defraying the Charge of the Navy, and for Half pay to Sea-Officers, for Victuals, Wages, Wear and Tear of the Navy, and the Victualling thereof; and for Sea-Service in the Office of the Ordnance, and other Services of the Navy.

XL. *Seff.* 46. 80,000 *l.* 10 *s.* 9 *d.* 3 *q.* for defraying the Charge of the Office of Ordnance for Land-Service, and for extraordinary Services perform'd by the said Office in the Year 1723: And to defray several extraordinary Expences of the Ordnance for Land-Services in the Year 1722, not provided for by Parliament.

XLI. *Seff.* 47. 941,990 *l.* 10 *s.* 8 *d.* 2 *q.* for maintaining the Land-Forces, and other Services, *viz.* 653,952 *l.* 13 *s.* 4 *d.* for the Charge of 18,294 effective Men (including Commission and Non-Commission Officers and Invalids) for Guards, Garrisons, &c. for the Year 1723; and 150,743 *l.* 13 *s.* 4 *d.* 2 *q.* for the Forces in the Plantations, *Minerca*, and *Gibraltar*, and for Provisions for the Garrisons at *Annapolis-Royal*, *Placentia* and *Gibraltar*; and 12,000 *l.* for Out-Pensioners of *Chelsea* Hospital; and 43,314 *l.* 4 *s.* for extraordinary Expences relating to the Land Forces, not being provided for by Parliament; and 82,000 *l.* for Half-pay to reduced Officers; subject to the Rules herein after prescribed.

XLII. *Seff.* 48. 65,422 *l.* 15 *s.* 9 *d.* $\frac{7}{10}$ to make good the Deficiency of the Grants to his Majesty for the Service of the Year 1722.

XLIII. *Seff.* 49. The said Supplies shall not be issued to any other Purpose.

XLIV. *Seff.* 50. Proviso, That the Commissioners of the Treasury, out of the Monies of the Supply granted this Session, may reward the Persons appointed to state and certify the Debts due to the five Regiments of *Portmore*, *Stuart*, *Wightman*, *Bowles*, and *Harrison*, and their Clerks and Officers; as also the Clerks and Officers in the Exchequer, for their Service in Relation to those five Regiments, and such Charges as shall attend the Performance of the same, as to them shall seem reasonable.

XLV. *Seff.* 51. Rules to be observed in the Application of the 82,000 *l.* for Half-Pay. The same as in 4 G. c. 3. which see as directed above, Par. XXI.

XLVI. *Seff.* 52. Like Clause as above Par. XIII. for disposing of so much of the 89,000 *l.* granted by 8 G. c. 20, upon Account of Half-Pay for the Year 1722, as shall be more than sufficient to satisfy the reduced Officers.

XLVII. *Seff.* 53. Clause to rectify Misnomers and Omissions of Commissioners for the Land-Tax, 1723.

XLVIII.

XLVIII. Stat. 10 G. c. 1. An Act for granting an Aid to his Majesty by a Land-Tax in Great Britain, to be raised for the Service of the Year 1724.

This Act was for raising the Sum of 1,019,324 l. 18 s. whereof 995,347 l. 17 s. 5 d. to be raised in one Year, from 25 March 1724, in England, Wales, and Berwick, according to the several Proportions set down in the Act; and 2 s. in the Pound on Personal Estates, &c. And the Residue, being 23,977 l. 7 d. to be raised in Scotland, by an eight Months Cess of 2,997 l. 2 s. 8 d. and seven eighth Parts of a Penny, for every Month, out of the Land-Rent. In this Act there is a Clause of Loan for any Sum not exceeding one Million, with Interest at 3 l. per Cent. so as such Loans be allow'd to be made by the Treasury: And the Money lent to be Tax-free.

XLIX. Sect. 136. The Sum of 11,420 l. 1 s. 5 d. 3 q. remaining in the Exchequer for Arrears of several Land-Taxes, payable in the Year 1721, or before, shall be apply'd as Part of the Supply for the Service of the Year, 1724.

L. Stat. 10 G. c. 2. **Sect.** 43. Like Clause as above, Par. VIII. for disposing of so much of the Sum of 82,000 l. granted by 9 G. c. 19, on Account of Half-Pay for the Service of the Year 1723, as shall be more than sufficient to satisfy the reduced Officers.

LI. Sect. 44. All the Monies granted this Session of Parliament, shall be appropriated, viz. 62,634 l. 9 s. 9 d. 2 q. to make good the Deficiency of the General Fund, for the Year ended at Michaelmas 1723.

LII. Sect. 45. 734,622 l. 15 s. 10 d. for the Ordinary of the Navy; and for Half-Pay to Sea-Officers; and for Victuals, Wages, Wear and Tear of the Navy, and for Sea-Service in the Office of the Ordnance, and for other Services of the Navy.

LIII. Sect. 46. 80,000 l. 7 s. for the Charge of the Ordnance for Land-Services; and for defraying several extraordinary Expences of the Ordnance in the Year 1723, not provided for by Parliament.

LIV. Sect. 47. 923,299 l. 2 s. 4 d. 1 q. for maintaining the Land-Forces, and for other Services, viz. 655,668 l. 8 s. 7 d. for the Charge of 18,264 effective Men (including Commission and Non-Commission Officers and Invalids,) for Guards, Garrisons, and other Land-Forces in Great Britain, Guernsey and Jersey, for the Year 1724; and 151,161 l. 4 d. for the Forces in the Plantations, Minorca and Gibraltar, and for Provisions for the Garrisons of Annapolis-Royal, Placentia and Gibraltar; and 12,000 l. for Out-Pensioners of

Chelfea-Hospital; 25,469 *l.* 13 *s.* 5 *d.* 1 *q.* for several extraordinary Expences relating to the Encampment of the Forces, and for levying Money for the additional Troop and Dragoon Horses; and for transporting back six Regiments to *Ireland* in the Year 1723, and not before provided for by Parliament; and 79,000 *l.* for Half-Pay to reduced Officers, subject to the Rules herein after prescribed.

LV. *Seet.* 48. 57,331 *l.* 11 *s.* 8 *d.* 3 *q.* to make good the Deficiency of the Grants to his Majesty for the Service of the Year 1723.

LVI. *Seet.* 49. The said Supplies shall not be issued or applied to any other Use or Purpose.

LVII *Seet.* 50. Rules to be observed in the Application of the 79,000 *l.* by this Act appropriated on Account of Half-Pay. *The same as in 4 G. c. 3, which see as above directed,* Par. XXI.

Taylors.

I. *Stat.* 7 *G. c.* 13. *Seet.* 1. All Contracts, Covenants, or Agreements in Writing, or not in Writing, heretofore made or enter'd into, or hereafter to be made, &c. by or between any Persons, brought up in, or using, professing or exercising the Art or Mystery of a Taylor, or Journeyman Taylor in *London* or *Westminster*, or within the weekly Bills of Mortality, for advancing their Wages, or for lessening their usual Hours of Work, shall be, and are declared to be illegal, null, and void. And if any Taylor, or Journeyman Taylor, &c. within the Limits aforesaid, shall, after 1 *May* 1721, keep up, continue, act in, make, enter into, sign, seal, or be knowingly concerned in any such Contract, &c. every Person so offending, being convicted thereof on the Oath, of one or more Witnesses before any two Justices of the Peace within the said Limits, upon any Information exhibited, or Prosecution within three Months after the Offence, every such Offender shall, by Order of such Justices, be committed to the House of Correction, there to be kept at hard Labour not exceeding two Months, or to the Common Gaol, as they shall see Cause, there to remain without Bail for any Time not exceeding two Months

II. *Seet.* 2. After 1 *May* 1721, the Hours of Work for all Journeymen Taylors, Servants, and Apprentices to Taylors, and other Persons employed as Taylors, in making up Mens or Womens Work, shall be from six in the Morning till eight at Night, excepting only that there shall be allowed by the Master, one Half-penny a Day [*Or. if this should not be Half-hour*] for Breakfast, and one Hour for Dinner;

Dinner; and for the said Hours of Work, there shall be paid to every Journeyman Taylor, or other Person employed as such, from 25 March to 24 June, not exceeding 2 s. *per Diem*, and for the rest of the Year 1 s. 8 d. *per Diem*.

III. *Seff.* 3. If any Taylor, or other Person using the Art of a Taylor within the aforesaid Limits, shall hire or retain any Journeyman, or other Person not being an Apprentice, he shall be obliged to pay him after the Rate aforesaid, for the full Time for which he shall so retain him.

IV. *Seff.* 4. Any two Justices, upon Complaint made for recovering the Wages, may summon before them the Party offending, and for Non-payment of such Wages, or Satisfaction given for the same to the Party grieved, may issue their Warrant for levying such Wages by Distress and Sale of the Offender's Goods, rendring the Overplus; and for want of Distress commit the Offender to the Common Goal, without Bail, till he shall pay, or give Satisfaction to the Party.

V. *Seff.* 5. The Justices of Peace within the Limits aforesaid, at their Quarter-Sessions, on Application to them made, may take into Consideration, the Plenty or the Scarcity of the Time, and other Circumstances necessarily to be considered, and may alter the Wages and Hours of Work aforesaid, and order what Wages shall be paid to Journeymen Taylors, &c. and what Hours they shall work, and shall make such Alterations therein as they shall think fit; and within 14 Days after such Sessions, cause such Rates and Alterations to be printed, and made known in such Manner as to them shall seem meet, at the reasonable Expence of any Person desiring the same; and after Publication thereof, all Taylors, and their Journeymen and Servants, are to observe the same upon Pain of Imprisonment not exceeding two Months, being convicted after Knowledge or Information of such Rates or Alterations, upon any Prosecution to be commenced in six Days after the Offence.

VI. *Seff.* 6. If any Person retained as a Journeyman or Servant in the Mystery of a Taylor, within the Limits aforesaid, shall, after 1 May 1721, depart from his Service before the End of the Term for which he is retained, or until the Work for which he was hired, be finished, or not being retained or employed, shall refuse to enter into Work or Employment, (after Request by any Master Taylor, for the Wages and Hours limited,) unless it be for some reasonable Cause to be allowed by two Justices of the Peace, he shall, being lawfully convicted thereof, be sent to the House of Correction, there to be kept to hard Labour for any Time not exceeding two Months.

VII. *Seft.* 7. If any Taylor, or Person professing the Art of a Taylor, shall give greater Wages than are allowed for the Hours of Work as aforesaid, to any Servant or Journeyman, in Money or otherwise, and be thereof lawfully convicted upon any Prosecution commenced within three Months after the Offence, he shall forfeit 5*l.* one Moiety to the Informer, the other to the Poor of the Parish: And every such Servant or Journeyman, taking greater Wages, &c. being thereof convicted as aforesaid, shall be sent to the House of Correction, there to be kept to hard Labour not exceeding two Months: And all Retainers, Promises, Obligations, or Securities for any Wages, Pay, or Allowances contrary to this Act, shall be void.

VIII. *Seft.* 8. This Act shall not extend to hinder the paying, or receiving any more or other Wages or Allowances, which shall be agreed upon for working before, or after the Hours limited, or to be limited as aforesaid.

IX. *Seft.* 9. Persons agrieved by the Orders of two or more Justices, may appeal to the next General Quarter-Sessions, giving six Days Notice of such Appeal; and the Justices in such Quarter-Sessions shall finally hear and determine the Matter, and shall have Power to award reasonable Costs to either Party.

X. *Seft.* 10. Any Person convicted of any Offence against this Act, and who shall suffer for the same accordingly, shall not be otherwise punished, or suffer for such Offence by Authority of any Law now in Force.

Tobacco.

I. *Stat.* 6 *G. c.* 21. *Seft.* 48. For the Encouragement of all fair Traders that shall send Tobacco for *Ireland*, it is Enacted, That on producing a Certificate under the Hands and Seals of the Collector, Controller, and Surveyor of the Customs of any Port in *Ireland*, or any two of them, where Tobacco shall be landed, testifying the Landing thereof after 1 *Aug.* 1720, in Case there shall appear to be any Difference in Weight between the Quantity specified in such Certificate, and the Quantity entered and shipped for Exportation thither, so that the Quantity landed in *Ireland*, shall be less than the Quantity entered and shipped for that Kingdom; in every such Case an Allowance shall be made to the Merchant Exporter, on the Duties to be drawn back, in Consideration of the Waste in the Voyage between *Great Britain* and *Ireland*, so as such Allowance do not exceed two per Cent.

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II. *Seft.*

II. *Señ. 49.* If any Tobacco, enter'd out for Foreign Parts, and exported, shall afterwards be landed in *Ireland*, the same and double the Drawback thereof shall be forfeited; and every Debenture for the Drawback shall become void, as if the said Tobacco were relanded in *Great Britain*. Which Forfeitures may be prosecuted and recovered in any the Courts of Record at *Westminster* or *Dublin*, or in the Exchequer in *Scotland*; in which Prosecution no *Essoin*, &c. shall be allowed, nor more than one *Imparlance*; one *Moiety* to the King, the other to the Prosecutor.

III. *Señ. 50.* The Exporters of Tobacco for Foreign Parts, being now only obliged to swear that the Tobacco shipped and certified is not landed, or intended to be relanded in *Great Britain*; Enacted, That after 1 *Aug. 1720*, *Ireland* shall be added and included in the said Oath (except for such Tobacco as shall be regularly shipt for *Ireland*) without which the Officers of the Customs shall not suffer the Debenture to pass.

IV. *Stat. 8 G. c. 16. Señ. 5.* For all Tobacco exported from *Scotland* after 27 *March 1710*, and before 7 *May* next following, the Barons of the Exchequer in *Scotland* shall cause the Debentures to be made forth and allowed to the Merchants, according to the Laws then in Force, before 27 *March 1710*, notwithstanding any Thing to the contrary in the Act 8 *A. c. 13*.

V. *Stat. 9 G. c. 21. Señ. 3.* After 1 *June 1723*, the Importer of Tobacco of the *British* Plantations, shall, on the Importation thereof, pay down the old Subsidy of 1 *d.* per Pound, with an Allowance of 25 *per Cent.* instead of the former Allowance of 5 *per Cent.* for Waste, Damage, &c. and all the other Duties on such Tobacco imported, amounting together to 5 *d.* and one third of a Penny per Pound, shall be paid down, or the Importer shall become bound to his Majesty with one or more sufficient Surities to be approved of by the Collector of the Port, with the Consent of the Controller, in one or more Bonds, at the Election of the Importer, for Payment of the Duties within 18 Months, to commence at the End of 30 Days, after the Master's Report of the Ship, or from the Merchant's Entry within those 30 Days, which shall first happen; and in Lieu of all former Encouragements, Allowances, and Discounts for prompt Payment, (all which are hereby repeal'd and abrogated) One Allowance of 25 *per Cent.* of the last recited Duties shall be allow'd for prompt Payment; and every Importer, not paying down the said Duties, shall have an Allowance only of 15 *per Cent.*

VI. *Señ. 4.* After the said 1 June 1723, no Allowance shall be made to the Importers, in Consideration of any damaged or mean Tobacco, either at the Scale, or otherwise; but if any Person shall refuse to enter and pay, or to secure the Duties for such Tobacco, then he shall have Liberty to refuse the same, or to separate such damaged Tobacco, by cutting off from the Hogthead, or other Package, so much thereof, as he shall refuse to pay Custom for; and the principal Officers of the Customs, or any three of them, shall cause all such Tobacco to be burnt and destroyed, without making any Allowance to the Importer for Freight or Charges, other than what is hereafter in this Act provided.

VII. *Señ. 5.* No Merchant, or other Person, shall have Liberty to separate the Leaf from the Stalk, on Pretence that it is damaged or mean Tobacco.

VIII. *Señ. 6.* If any of the Tobacco, enter'd, and the Duties thereof paid or secured, shall be exported into Foreign Parts, the Exporter shall, on a proper Debenture to be made forth for that Purpose, be allowed to draw back the whole Duty, or the Security vacated on the Bonds given on Importation; Care being taken, that the several Allowances and Deductions made at the Importation, be again deducted on the Debenture.

IX. *Señ. 7.* If any Person (other than the Exporter) shall discover to the Officers of the Customs, any Fraud, either by the Exporter of Tobacco, or other Goods, or by any others in Aid of the Exporter, whereby his Majesty has been defrauded, such Person shall have one Half of the Officer's or Prosecutor's Share of what shall be recover'd by such Discovery, the Charges of Prosecution deducted; and the Commissioners of the Customs are to cause such Charges to be paid equally by the Crown, and the Officer or Prosecutor; and the Persons who were aiding to the Exporter in such Fraud, so discovering, they shall be acquitted of such Offence.

X. *Señ. 8.* If any Tobacco or other foreign Goods, shall be taken on Board any coasting Vessel in Parts beyond the Seas, or out of any Vessel at Sea, or at any Port or Place of this Kingdom, other than the Port from whence such Goods shall be certify'd, the Goods and double the Value thereof shall be forfeited, and the Master of the coasting Vessel shall forfeit the Value of the Tobacco or other Goods.

XI. *Señ. 9.* If any Person (other than the Owner of the Tobacco, or other Goods so shipped coastwise) shall discover to any Officers of the Customs, any Fraud committed by the Owner or Claimer of the Goods so shipped, or by any other

other in Aid of the Owner, whereby his Majesty hath been or shall be defrauded in his Duties, such Person shall have one Half of the Officer's or Prosecutor's Share of what shall be recover'd, the Charges of Prosecution being first deducted; and the Commissioners of the Customs are to cause such Charges to be paid equally by the Crown and the Officer or Prosecutor; and the Discoverer shall be acquitted of his Offence.

XII. *Señ. 10.* The Penalties in this Act may be prosecuted by Bill, Complaint, &c. in any Court of Record at *Westminster*, or in the Court of Exchequer at *Edinburgh*; and one Moiety shall be to the Crown, the other to the Prosecutor.

XIII. *Señ. 11.* Persons sued for any Thing done in Pursuance of this Act, may plead the General Issue, and on a Verdict, &c. shall have full Costs.

XIV. *Señ. 12.* If any Importer or Proprietor of Tobacco, that has given Security for Payment of the Duties in 18 Months, shall be desirous to discharge his Bonds in ready Money, sooner than the Expiration of that Time, he shall be abated so much as the Discount at the Rate of 7 per Cent. shall amount to, in Proportion to the Time unexpired.

XV. *Señ. 13.* If any Tobacco receive Damage on board any Vessel, by Strefs of Weather at Sea, or by the Ship's being forced on Shore in any Part of *Great Britain*; or if any unforeseen Accident happen after the Vessel's Arrival in Port, by its bulging on an Anchor, or by the Lighter into which the Tobacco is put in Order to be laid on Land, or by any such like Accidents, the chief Officers of the Customs may allow the Importer one Halfpenny for every Pound of such Tobacco, for which the Importer shall refuse to pay or secure the full Duties, and which shall be cut off and separated from the sound, in Order to be burnt or publickly destroy'd by the Officers of the Customs, so as such Allowance shall not exceed 30 s. for all the Tobacco damaged in any one Hogshead.

XVI. *Señ. 14.* No Drawback shall be allowed on any Tobacco exported in any Package, but only in Casks containing 300 Weight, or more, in each Cask; except Tobacco cut or rolled.

XVII. *Señ. 15.* After 1 June 1723, there shall be allow'd for Draft only at the Scale 8 Pounds upon every Hogshead that shall contain 350 Pounds of Tobacco, or more; which Allowance shall not be deducted on Exportation.

XVIII. *Seft.* 16. The Time of Importation of Tobacco that shall arrive after 1 *May* 1723, and on or before 2 *June* 1723, and then remain unenter'd, shall be reckoned to be from 1 *June* 1723, in like Manner as if the Masters of such Ships had made Report of their Ladings on the said 2d of *June*; and the Importers of such Tobacco shall pay or secure the Duties, and have the several Allowances and Discounts, and be entitled to draw back the Duties as fully as if the said Tobacco had been imported, and the Masters of the Ships had made the Reports of their Ladings on the said 2d of *June*.

XIX. *Seft.* 17. No Tobacco shall be imported stript from the Stalk or Stem; and if any such Tobacco shall be imported, the same may be seized, and shall be liable to be search'd for and forfeited by any Officer of the Customs, as other prohibited Goods may; and such Penalties and Forfeitures may be recover'd by Information in the Court of Exchequer of *England* or *Scotland*; one Moiety to the Crown, and the other to the Seizor.

XX. *Seft.* 18. Nothing herein shall impower any Officer of the Customs, or other Person, to search for any stript Tobacco imported, after the same shall have been weighed by the proper Officer; and where there shall not be more than 20 Pounds Weight of stript Tobacco in any one Hogshead, it shall not be subject to be seized or forfeited.

XXI. *Seft.* 19. The Monies to arise of the Duties on Tobacco, under the Regulation hereby prescribed, shall be appropriated and apply'd to such Uses, in the like Proportions, and in such Manner, as the Duties on such Tobacco would have been applicable, if this Act had not been made, under such Penalties and Forfeitures for misapplying any of the Monies, as in like Cases might have been inflicted by any former Act.

XXII. *Seft.* 20. No Drawback shall be allow'd for any Tobacco-Stalks or Stems exported by themselves, when they have been separated from the rest of the Leaf.

Trade and Commerce.

I. Stat. 6 G. c. 14. *Seft.* 1. From and after 29 Sept. 1720, the Clause or Proviso in 12 Car. 2. c. 18. For the encouraging and encreasing of Shipping and Navigation, which allows the Importation of any the Commodities of the *Streights* or *Levant* Seas, in English-built Shipping, and whereof the Master and three Fourths of the Mariners at least are *English*, from the usual Ports or Places for lading of them heretofore, within the said *Streights* or *Levant* Seas, though the said

said Commodities be not of the very Growth of the said Places, as to the Importation of Raw Silk and Mohair Yarn, of the Product or Manufacture of *Asia*, shall be and is hereby repealed; excepting only to the Ports and Places in the said *Streights* or *Levant* Seas which are within the Dominions of the Grand Signior.

II. Stat. 6 G. c. 15. Sect. 1. From and after 1 Aug. 1720, so much of the Act 13 & 14 Car. 2. c. 11. For preventing Frauds, and regulating Abuses in his Majesty's Customs, as prohibits the Importation of Deal-Boards and Fir-Timber from *Germany* only, shall be repealed, and is hereby made void.

III. Sect. 2. From the said 1st of Aug. any of his Majesty's Subjects may import any Quantity of Fir-Timber, Fir-Planks, Mafts and Deal-Boards, being of the Growth of *Germany* in British-built Ships only; so as the Owners thereof, the Master, and three Fourths of the Mariners at least are *British* Subjects, paying the like Rates and Duties for the same, as are now payable for Fir-Timber, &c. imported from *Norway*.

IV. Sect. 3. Nothing in this Act contained shall extend to repeal the said Clause in the said Act, so far as it prohibits the Importation of the said Commodities from the *Netherlands*: But as to such Importation thereof, all the Penalties in that Act contained, shall be in as full Force as if this Act had never been made.

V. Stat. 6 G. c. 18. Sect. 18. After 24 June 1720, all Undertakings and Attempts, tending to the common Grievance, Prejudice, and Inconvenience, of his Majesty's Subjects, or great Numbers of them, in their Trade, Commerce, or other lawful Affairs, and all publick Subscriptions, Receipts, Payments, Assignments, Transfers, pretended Assignments and Transfers, and all other Matters and Things whatsoever, for furthering, countenancing or proceeding in any such Undertaking or Attempt; and more particularly, the acting as a Coporate Body, by raising transferrable Stocks, the transferring or assigning any Share in such Stocks, without legal Authority, either by Act of Parliament, or by Charter from the Crown, to warrant such acting as a Body Coporate, or to raise such transferrable Stocks, or to transfer Shares therein; and all Acting under any Charter formerly granted from the Crown, for particular Purposes therein expressed, by Persons who shall use or endeavour to use the same Charters for raising a Capital Stock, or for making Transfers or Assignments of such Stock, not intended by such Charter to be raised or transferred;

ferred; and all Acting under any obsolete Charter, become void or voidable by Nonuser or Abuser, or for want of making lawful Elections, necessary to continue the Corporation thereby intended, shall for ever be deemed to be illegal and void.

VI. *Seç.* 19. After the said 24 *June* 1720, all such unlawful Undertakings and Attempts, and all things whatsoever for furthering, countenancing or proceeding therein, and relating thereto, shall be deemed to be publick Nuisances, and shall for ever hereafter be tried and determined as such; and all Offenders therein, being convicted upon Information or Indictment in any of his Majesty's Courts of Record at *Westminster*, or in *Edinburgh* or *Dublin*, shall be liable to such Fines, Penalties and Punishments whereto Persons convicted for common and publick Nuisances are by any Laws of this Realm liable; and shall moreover incur any farther Pains, &c. as were provided by the Statute of Provision and *Premunire*, 16 R. 2.

VII. *Seç.* 20. If any Merchant or Trader shall suffer any particular Damage in his Trade, Commerce or other lawful Affairs, by Occasion of any Undertaking, &c. by this Act declared unlawful, and will sue to be relieved therein, he shall have his Remedy for the same by Action, to be grounded on this Statute, against the Persons, Societies or Partnerships engaged in such unlawful Undertaking; and every such Action shall be heard and determined in any of his Majesty's Courts of Record aforesaid; wherein no Essoin, &c. or more than one Impar lance shall be allowed; and in every such Action the Plaintiff shall recover treble Damages with full Costs.

VIII. *Seç.* 21. If any Broker, or Person acting as a Broker, for himself, or in Behalf of any others, shall bargain, sell or buy, or contract for the bargaining, selling or buying any Share or Interest in any of the Undertakings hereby declared unlawful, or in any Stock of such Undertakers, he shall not only be disabled to act as a Broker for the future, but shall also forfeit 500 *l.* one Moiety to the Use of the King, the other to the Informer, with full Costs.

IX. *Seç.* 22. Nothing herein shall extend to any Undertakings establish'd in Point of Time before 24 *June* 1718.

X. *Seç.* 23. Nor to hinder his Majesty from establishing the two Corporations (for Assurance of Ships, &c.) intended by this Act to be erected, nor to prejudice either of the said Corporations in the Enjoyment of the Powers, &c. to be granted them by Charters.

XI. *Seç.*

XI. *Señ.* 24. Nor to hinder the *South-Sea* Company from having and enjoying all such Powers, Privileges, &c. as do or shall belong to them (except as to Insurance upon Ships and Merchandize at Sea, or going to Sea.)

XII. *Señ.* 25. Nor to prohibit or restrain the carrying on of any home or foreign Trade in Partnership, in such Manner as hath been hitherto usually, and may be legally done according to the Laws now in Force, except only as to the Insuring of Ships, and lending Money on Bottomry.

XIII. *Señ.* 26. It shall be lawful for the *South-Sea* Company, and for the *East-India* Company, to advance or lend on the Bottom of any Ship or Vessel, and on Goods and Merchandize on Board any Vessel of the said Companies, or employ'd in their Service, to any Captains, Commanders, Agents, Sailors, Servants, or other Persons, employed in their Service, any Sums of Money by Way of Bottomry.

XIV. *Señ.* 27. Nothing in this Act shall extend to any Corporation formerly erected for the carrying on a Trade, which they have publickly continued to exercise from the Time of their Establishment; or to Subscriptions for enlarging the Capital Stock of the *South-Sea* Company, or to Receipts made out in respect to such Subscriptions; but all such Subscriptions shall be valid, and all Receipts made out concerning the same, shall be assignable at Law by Endorsement thereon.

XV. *Señ.* 28. Nothing herein shall extend to hinder or deprive the *East-India* Company from having and enjoying all such Powers, Privileges, &c. as do or shall belong to them, or which they could or might enjoy in any Manner, if this Act had not been made.

XVI. *Stat.* 7 G. c. 20. *Señ.* 31. All Drawbacks for any Quantity of Cyder or Perry exported after 24 June 1721, shall be allowed to the Exporters in such Manner, and under such Directions and Restrictions, as are prescribed by 1 W. & M. *Señ.* 1. c. 22. For the Exportation of Beer, Ale, Cyder and Mum.

XVII. *Stat.* 7 G. c. 21. *Señ.* 1. If at any Time after 24 June 1721, any of his Majesty's Subjects shall sail, go or repair to, or shall trade, traffick, or adventure in, to, or from the *East-Indies*, or Places beyond the *Cape of Good-Hope*, mention'd in former Acts, contrary to any Law now in Being, or contrary to the Tenour of this Act, it shall be lawful for the Attorney General, or for the united Company trading to the *East-Indies*, at any Time within the Space of six Years, to file in any of the Courts at *Westminster*, one or
more

more Informations against such Offenders: And if the Party Defendant to such Information shall be found guilty thereof, the Court shall forthwith proceed to give Judgment against him, by such Fine and Imprisonment, or either of them, as the said Court shall think fit, and shall award the Prosecutor his full Costs: But if the Defendant be acquitted, the Company shall pay him his full Costs.

XVIII. *Señ.* 2. All Contracts and Agreements, at or after the said 24 June 1721, made or enter'd into by any of his Majesty's Subjects or by any in Trust for them, on the Loan of Monies by Way of a Bottomry on any Ship in the Service of Foreigners, and bound to the *East-Indies, &c.* and all Contracts for loading or supplying any such Ship with a Cargo of any Sort of Goods, Merchandize, Treasure or Effects, or with Provisions, Stores or Necessaries; and all Copartnerships entered into, relating to any such Voyage, or the Profits thereof; and all Agreements for the Wages of Persons serving on Board any such Ship to be employ'd in such Voyage, shall be void.

XIX. *Señ.* 3. Every Person, Subject of his Majesty, who shall go to the *East-Indies, &c.* contrary to the Laws now in Being, shall be deemed a Trader, and to have traded there; and all the Goods there bartered or trafficked for, or purchased by any such Offender, or found in his Custody, or in the Custody of any other in Trust for him, by his Order or Procurement, shall be forfeited, and double the Value.

XX. *Señ.* 4. All the Goods shipped on board any Ship bound for the *East-Indies, &c.* (except the Goods of the Company, or such as are licensed by them, and the naval Stores, Provisions and Necessaries for such Ship in her Voyage) and all the Goods taken out of such Ship in her Voyage Homeward from the *East-Indies, &c.* to *England*, before her Arrival here, shall be forfeited and double the Value; and the Master, or other Officer of such Ship, knowingly permitting such Goods to be shipped or taken out of such Ship, shall forfeit for every Offence 1000 *l.* and shall not be entitled to any Wages; nor shall the Company be obliged to pay any Wages to, or to the Use, or on Account of such Master, &c. but shall have an Allowance or Deduction in Respect thereof, out of the Monies payable by them on Account of the Ship to which such Master, &c. belong.

XXI. *Señ.* 5. It shall be lawful for the Attorney General, at the Relation of the Company, or by his own Authority, to exhibit Bills of Complaint in the Exchequer, against any Persons trading, dealing, trafficking or adventuring to or from the *East-Indies, &c.* contrary to Law; or against any Persons concerned as Agent, Factor or Copartner with
such

such illegal Traders, for Discovery of such their Trading, &c. and for Recovery of the Duties and Damages herein after mentioned; waiving or disclaiming in every such Bill all the Penalties and Forfeitures incurred by such Persons for the Matters in such Bill contained; and such Persons shall answer the said Bills, and not plead or demur to the Discovery thereby sought, and pay to his Majesty the Customs of the Goods arising or purchased by the said unlawful Trade, and shall answer to the Company 50*l.* per Cent. according to the Value thereof in *England*: And if such Offenders pay the Customs, or the Amount of the same, into his Majesty's Exchequer, and Damages to the Company, they shall not be prosecuted on any other Branch or Article in this Act, or on any other Law for the same Offence: And if such Bills, (if exhibited at the Relation of the Company) be dismissed by the Court, the Company shall pay every Defendant his full Costs, and if a Decree be obtain'd against the Defendants, they shall pay Costs to his Majesty and the Relator respectively.

XXII. *Sett.* 6. All the Forfeitures and Penalties herein before appointed, or in 9 *W.* 3. c. 44, or in 6 *A.* c. 3, or in 5 *G.* c. 21, relating to the *East-India* Company, shall, after 24 *June* 1721, be sued for and recoverable in any Court of Record at *Westminster*, by Bill, &c. at the Suit of the Attorney General, or of the said united Company, or of any Officer of the Customs, such Officer first taking such Consent and Directions as are in the Proviso hereafter for that Purpose: And one Third Part of all such Penalties shall be to the Crown, one other Third to the Company, and the remaining Third to the Use of such Officers of the Customs as shall inform and sue as aforesaid, in which Suits no *Essoin*, &c. shall be allowed, or more than one *Imparlane*.

XXIII. *Sett.* 7. Before any Suit shall be commenced for the Recovery of any the Penalties aforesaid by any Officer of the Customs, he shall first go to the Court of Directors of the united Company, and make known to them the Offence committed; and his Intentions to sue and prosecute for the same; and if the said Court shall elect to have the Suit brought by Bill of Complaint to be filed in the Court of Exchequer, with Waivor and Disclaimer of the Penalties as aforesaid, then such Bills shall be filed and prosecuted in the Name of the Attorney General; and thereupon the Company shall pay to such Officer, one quarter Part of the Monies recovered on such Suit, and the Company shall bear the Charges thereof: But if the Court of Directors shall elect to have the Suit commenced by Information or Action of Debt, then the Officer shall sue for the same at Law, and the Informations, &c. shall not be discontinued,
but

but with the Consent of the Company, or their Court of Directors.

XXIV. *Señ. 8.* This Act shall not subject the Company of Merchants trading into the *Levant Seas*, or any Member thereof, to answer any such Bill, or to any other Penalties hereby enacted, in Respect of their trading into those Seas.

XXV. *Señ. 9.* After 24 *June* 1721, no Commodity of the Growth, Product or Manufacture of the *East-Indies* shall be imported into *Ireland*, the Islands of *Fersey*, *Guernsey*, *Alderney*, *Sark* or *Man*, or to any the Plantations in *Africa* or *America*, belonging to the Crown of *Great Britain*, but such only as be *bona fide*, and without Fraud shipped in *Great Britain*, in Ships navigated according to the Laws now in Being, on Penalty of forfeiting all such Goods, or the Value thereof, together with the Ship, with all her Guns, Tackle, &c. and such Ship and Goods may be seized and prosecuted in any Courts of Record in *Westminster* or *Dublin*, or in any Courts in such Islands, &c. where the Offence shall be committed, or in the Royal Courts of *Fersey* or *Guernsey*, by Bill, Plaint, &c. wherein no *Essoin*, &c. shall be allowed, nor more than one *Imparance*: One Moiety of the Forfeiture to the Crown, the other to the Prosecutor, except such Offence be committed in any of the Plantations in *Africa* or *America*, in which Case one Third of the Forfeiture shall be to the Crown, one other Third to the Governor of the Land, Island, Colony, or Place, where the Offence shall be committed, and the other Third to the Informer: And if any Officer of the Customs in *Ireland*, or in the said Lands, Islands, &c. shall connive at the fraudulent Importation of such Commodities; or if any such Officer shall take upon him to seize any of the said Commodities, and shall, by Fraud or Collusion, desist or delay the Prosecution thereof to Condemnation, he shall forfeit 500*l.* to be sued for and recovered in manner aforesaid; one Moiety to the Crown, the other to the Prosecutor; and such Officer shall be incapable of holding any Employment under his Majesty.

XXVI. *Señ. 10.* The Times for Exportation of all Goods and Merchandizes of his Majesty's Plantations, and all other Foreign Goods, as the same are now limited by Law, shall, after 24 *June* 1721, be extended and enlarged; so that where Repayments or Drawbacks are made upon the Exportation of such Goods imported, and afterwards exported, all Merchants and Traders, &c. shall from thenceforth be allow'd three Years Time from the Importation thereof, to export the same, accounting from the Master's Report of the Ship; and such Merchants, &c. shall have the like Repayments, &c. as if the same had been exported within the Times limited by any Law now in Being: Provided that

Certificates

Certificates and Oaths be made, and all other Requisites performed, according to the Laws now in Being relating to the Importation or Exportation of such Goods.

XXVII. *Señ. 11.* For such Muslins, white Callicoes, and unrated *East-India* Goods, as are at present imported and unsold; or shall, after 24 *June* 1721, be imported, the Importers may, at any Time within three Years from the Importation, expose the same to Sale; and after such Sale, there shall be allowed the like Discounts of the Duties on such Goods, as if the same had been exposed to Sale within twelve Months, or any other Time heretofore limited by Law: And the Condition of the Bond to be given by the Importer for Payment of the Duties on the Goods before mentioned, shall be to expose the same to Sale within three Years from the Importation thereof; and the Importer shall be entitled to the same Discounts, &c. as if the same had been sold within twelve Months.

XXVIII. *Señ. 12.* After 24 *June* 1721, so much of the Act 3 *A. c. 4.* For continuing Duties on *Low-Wines*, and upon *Coffee, Tea, Chocolate, &c.* and of the several Acts for continuing the same, and so much of the Act 6 *G. c. 21.* For preventing Frauds and Abuses in the Publick Revenues of the Excise, Customs, &c. and every other Act which relates to or allows the importing Tea by Licence or Certificate, shall be repealed and made void.

XXIX. *Señ. 15.* The said united Company shall be allowed for the Future to ship out Stores, Provisions, Utensils of War, and Necessaries for maintaining their Garrisons and Settlements, free of all Duties; so as such Duties, if they had been to be paid, do not exceed in any one Year 300 *l.*

XXX. *Stat. 3 G. c. 12. Señ. 2.* All Persons, who within 21 Years from 24 *June* 1722, shall import into *Great Britain*, directly from any of his Majesty's Plantations in *America*, in any Ship which may lawfully trade thither, and which shall be navigated according to Law, any Sort of Wood, Plank, or Timber, or any of the Goods called Lumber, viz. Deals of several Sorts, Timber-Balks of several Sizes, Barrel-Boards, Clap-Boards, Pipe-Boards, or Pipe-Holt, White Boards for Shoemakers, Broom and Cant-Spars, Bow-Staves, Capravens, Clap Holt, Ebony-Wood, Headings for Pipes and for Hogheads and Barrels, Hoops for Coopers, Oars, Pipe and Hoghead-Staves, Barrel-Staves, Firken-Staves, Trunnels, Speckled-Wood, Sweet-Wood, small Spars, Oak-Plank, and Wainscot, being of the Growth and Product of the said Plantations, (except Masts, Yards and Bowsprights, touching which Duties and Pre-

miums

miums are ascertained by former Acts) may import the same free from all Customs and Impositions whatsoever.

XXXI. Stat. 8 G. c. 17. Sect. 1. After 29 Sept. 1722, it shall be lawful for such Persons as shall be authorized by the Majority of the *British* Merchants and Factors residing in *Portugal*, being assembled with the Consul General, or his Deputy, in any of the Ports in *Portugal*, or Dominions thereof, to receive and recover from all Masters, and other Commanders of all *British* Ships trading from *Great Britain* or *Ireland*, or any other Part of his Majesty's Dominions, to any of the Dominions of the King of *Portugal*, the following Sums, viz. Two hundred *Reis* per Tun on all Tunnage Goods (except Wheat, Barley, Rye, Coals, Timber, Boards, and Lumber) and One hundred *Reis* per Tun on Wheat, Barley, Rye, Coals, Timber, Boards and Lumber; and 15*l.* per Cent. on the Freight of all other Goods exported from any of the King's Dominions to *Lisbon*, or any other Place in the Dominions of the King of *Portugal*: And all Bills of Lading shall specify to pay the Monies accordingly, under Denomination of Contribution, as per Act of Parliament, or to that Effect; and the Persons paying the same shall be reimbursed by the Freighters, or the Persons to whom the said Goods shall be consign'd, or that shall receive the same. And if no Bill of Lading shall appear, and no Freight or Tunnage is settled between the Owner of the Goods, and the Master of the Vessel, the Freight or Tunnage shall be valued by two indifferent *British* Merchants on the Place; one to be chosen by the Consul General, or his Deputy, and the other by the Master of the Ship, within ten Days after unlading the Goods; and if the Persons so chosen shall not agree and award the same in five Days after chosen, such two Persons shall chuse a third, (being a *British* Merchant on the Place) as an Umpire, who shall decide the Valuation of the Freight or Tunnage in three Days; and such Sums shall be paid in either Case as shall be agreeable to this Act.

XXXII. Sect. 2. All Masters of Ships trading from *Great Britain*, *Ireland*, or any other of his Majesty's Dominions, to any of the Dominions of the King of *Portugal*, and unloading the Ship or any of the Cargo there, shall, within ten Days after their Arrival, deliver to the Consul General, or Deputy-Consul residing there, or to such other Person as shall be appointed for that Purpose, a true Manifest in Writing upon Oath, specifying the Particulars of the Cargo of the Ship so unloaded, or of such Part thereof as shall be unloaded there, and to whom consign'd: Which Oath the said

said Consul General, or, &c. is to administer *gratis*, on Request.

XXXIII. *Seç. 3.* The Consul General, or his Deputy, shall detain the Clearances outwards of all such *British* or *Irish* Ships, and not give any Dispatch or Passport for any such Ship, till Payment be made as aforesaid.

XXXIV. *Seç. 4.* The Monies shall be applied in Manner following, *viz.* To the Minister residing there, for his Support and Subsistence, to pray, preach, and exercise his Ministerial Function there, 300 *Mill Reis per Annum*, by equal quarterly Payments; and the Remainder for Relief of shipwreck'd Mariners, and other distressed Persons, his Majesty's Subjects, and to such other pious, charitable and publick Uses, as shall be appointed by the Majority of the *British* Merchants and Factors residing at *Lisbon*, and other Parts and Places in *Portugal*, and Dominions thereof, being assembled with the Consul General, or any of his Deputy Consuls.

XXXV. *Seç. 5.* All Persons formerly liable to pay the four *Reis per Mill Reis*, shall after Payment of the Sums required by this Act, be exempted from Payment of the four *Reis per Mill Reis* for the Future.

XXXVI. *Seç. 6.* The Consul General, or his Deputy Consuls, residing at *Lisbon*, or elsewhere in the Dominions of *Portugal*, shall, as they shall see Occasion, call a general Meeting of the *British* Merchants and Factors; and shall call such general Meetings as often as shall be desired by Writing under the Hands of any five or more of the *British* Merchants or Factors; and the Majority at such Meetings shall order and determine all Matters relating to the Premises.

XXXVII. *Seç. 7.* This shall be deemed in all Courts of Justice, and elsewhere, to be a publick Act, and shall be taken Notice of as such without Special Pleading: And if any Action be brought against any Person, for any Thing done in Relation to the Premises, the Defendant may plead the General Issue, &c. and give this Act in Evidence; and upon a Verdict, &c. the Defendant shall have full Costs.

XXXVIII. *Stat. 9 G. c. 26. Seç. 1.* If after 24 *June 1723*,^v any Subject of his Majesty shall contribute or subscribe to, or encourage the establishing or carrying on any Foreign Company, trading or hereafter to trade from any Part of the *Austrian Netherlands*, to or from the *East Indies*, and other Places beyond the *Cape of Good Hope*, described in former Acts, for securing to the United *East-India* Company of *England*, the sole Trade to and from the *East-Indies*; or shall be in-

interested in any Share of the Stock, or Actions of any such Foreign Company; or shall make any Payments in Money, or by Bills of Exchange, Remittances, or otherwise, towards promoting or supporting such Company, or the Trade thereof; or shall subscribe to, or promote the establishing or carrying on any other Foreign Company, for trading to the *East-Indies*, or shall be concerned in any Share or Stock of such last mentioned Foreign Company; every Person so offending, shall forfeit his Interest and Share in the Stock of any such Company, together with treble the Value thereof, one Third to the Crown, and the remaining two Thirds to the *East-India* Company, if they inform or sue for the same; or otherwise, one Third of such two Thirds to the Informer, he first taking such Direction and Consent, as is hereafter mentioned: The said Penalties to be recovered by Action of Debt, &c.

XXXIX. *Señ. 2.* It shall be lawful for the Attorney General, of his own Authority, or at the Relation of the said United Company, and for the Company, to file a Bill of Complaint in the Court of Chancery, or of the Exchequer, against any Person who shall have subscribed or contributed to, or promoted, or any Ways become interested in the establishing or carrying on any such Foreign Company, or the Stock or Trade thereof, for the Discovery of his Offence; remitting or waving in every such Bill the Forfeiture of the treble Value of the Offender's Stock or Concern in the Stock or Actions of any such Foreign Company, and insisting only on the single Value thereof; and thereupon such Person shall answer to the Bill, and not plead or demur to the Discovery thereby sought; and in Case the single Value only of such Interest or Share shall be decreed to be paid by the Offender, one third thereof shall be paid to the Crown, and the remaining two Thirds to the Company.

XL. *Señ. 3.* If before any Suit or Prosecution shall be commenced, either by the Attorney General, or by the Company, any common Informer shall go to the Court of Directors of the said Company, and make known to them the Offence committed, and his Intentions to sue for the same at Law; and if instead thereof, the said Court shall elect to have the Suit commenced by Bill of Complaint to be filed in the Courts of Chancery or Exchequer; in every such Case there shall be paid to such common Informer, one Third of the remaining two Thirds of the single Value of the said Interest and Concern, when recovered: But if the Court of Directors shall elect to have the Suit commenced for the Penalties by Information, or Action of Debt at Law, then the Informer shall accordingly sue for the same at Law, and the Information or Action, shall be proceeded

ceeded upon, and shall not be discontinued but with the Consent of the Company, or the Court of Directors.

XLII. *Señ. 4.* If any Subject of his Majesty shall have accepted of any Trust, or shall know of any Interest, Share or Concern, which any of his Majesty's Subjects shall have or be entitled to in any such Foreign Company, and shall not, within six Months after accepting such Trust, or coming to the Knowledge of any such Interest, &c. truly discover the same in Writing to the said United Company, or their Court of Directors, he shall forfeit treble the Value of the Interest, &c. so accepted in Trust, or so known, and not discovered: One Moiety to the Crown, and the other to him who will sue for the same, to be recovered by Action of Debt, &c. Or otherwise such Offender shall, at the Discretion of the Court where the Prosecution is commenced, suffer one whole Year's Imprisonment without Bail or Mainprize.

XLII. *Señ. 5.* Every Person who, within the Time above limited, shall voluntarily come to the Court of Directors, and make a true Discovery in Writing, of the Interest, Share or Concern of any of his Majesty's Subjects in the Stock of any such Foreign Company, shall have one Half Part of the clear Amount of the Forfeitures arising by this Act, out of the Estate of the Persons so interested in any such Foreign Company; and the Court in which the Prosecution shall be commenced, shall award to the Person making the Discovery, such Reward.

XLIII. *Señ. 6.* If any of his Majesty's Subjects, (other than such as are lawfully authorized) shall, after 24 June 1724, go to or be found in the *East-Indies*, the Persons so offending are hereby declared to be guilty of a High Crime and Misdemeanour, and may be prosecuted for the same in any Court at *Westminster*; and being convicted thereof, shall be liable to such corporal Punishment, or Imprisonment, or to such Fine as the Court where the Prosecution is commenced, shall think fit: One Moiety to the Crown, the other to the Prosecutor.

XLIV. *Señ. 7.* Persons so offending may be seized and brought to *England*; and any Justice of the Peace may commit them to the next County-Gaol, till sufficient Security be given by natural-born Subjects or Denizens, to appear in the Court where such Prosecutions shall be commenced, to answer the same, and not to depart out of the Court, or out of the Kingdom, without Leave of the said Court.

XLV. *Señ. 8.* A *Capias* in the first Process shall issue upon any Bill, Complaint, Indictment, &c. commenced, filed, found, &c. by Reason of any Offences mentioned in this

Act, or in any other Acts made for the encouraging, settling, or securing the lawful Trade of his Majesty's Subjects, to and from the *East-Indies*, and for preventing all unlawful Trade thereto or therefrom: Which *Capias* shall specify the Sum of the Penalty sued for; and such Offenders shall be obliged to give sufficient Bail by natural-born Subjects or Denizens, to the Persons to whom such *Capias* shall be directed, to appear in the Court out of which the *Capias* shall issue at the Return of such Writ, to answer such Suit; and shall likewise, at the Time of appearing, give Bail by such Persons as aforesaid, in the said Court, to answer the Forfeitures, in Case he be convicted, or to yield his Body to Prison.

XLVI. *Seç. 9.* All Offences against this Act, or against 9 *W. 3. Seç. 3. c. 44.* or against 5 *G. c. 21.* or against 7 *G. c. 21.* shall after 14 *June 1723*, be laid in *London* or *Middlesex*, at the Pleasure of the Prosecutor.

XLVII. *Seç. 10.* This Act, and the said Acts 5 *G.* and 7 *G.* shall be deemed to be publick Acts; and the said Act 5 *G. c. 21.* shall continue in Force for seven Years, from 25 *March 1723*, and from thence to the End of the then next Session of Parliament.

XLVIII. *Seç. 11.* In Case the United Company shall first inform or prosecute for any the Offences committed contrary to any Statutes made for the encouraging and securing to the Company the lawful Trade to the *East-Indies*, or for preventing any unlawful Trade thereto; the Share of the Penalties, otherwise given by any of the said Acts, to any other Persons that should sue for the same, shall devolve upon, and be to the Use of the Company, although such Information, &c. be commenced by the Company after the Time limited by Law for the Suit of the common Informer, is elapsed.

XLIX. *Seç. 12.* If any Suit or Prosecution be commenced by Virtue of any of the former Acts, the Offenders shall not be sued or prosecuted upon this Act, except by Bill of Complaint in the Courts of Chancery or Exchequer.

Treason and Traitors Estates.

I. Stat. 6 *G. c. 11. Seç. 39.* The Sum of 200,737 *l.* 14 *s.* 9 *d.* 1 *q.* by such Proportions at a Time as the Treasury shall find most conducive to the publick Service, shall be taken and applied out of the clear Produce of the Forfeitures for Treason, arisen or to arise into the Receipt of the Exchequer, over and above the Salaries and Charges payable for the Recovery of the said Forfeitures, for defraying his Majesty's publick Expences and Occasions; and the

Treasury

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Treasury are authorized to cause the same to be issued and applied accordingly.

II. Stat. 6 G. c. 24. Sect. 1. Every Indenture or Contract of Bargain and Sale, to be executed by Commissioners and Trustees for the forfeited Estates, or any four or more of them residing in *Scotland*, to any Person or Bodies Politick, who have been, or shall be Buyers, for any Estate by them sold to such Buyers, in which the forfeiting Person was enfeoffed at the Time of the Forfeiture, shall contain a Procuratory of Resignation, according to the Forms in Use in *Scotland*, for Surrender of such Estate in the Hands of the Superior of whom it was holden by the forfeiting Person, for new Enfeoffment to be given to such Buyer; and the Court of Exchequer in *Scotland*, where such Estate was holden of the Crown, are impowered to accept of a Surrender and Resignation upon such Procuratory, and to grant Charters to such Buyer, with Clauses of *Nova damus*, and bearing a *Reddendo* of one Penny of Blanch Duty in Place of all other Demand or Service; and where such Estate was holden of a Subject Superior, such Subject is required to accept of a Surrender and Resignation upon such Procuratory in Favour of the Buyer, and to grant Charters of such Estate to be holden of him in the same Way as it was holden by the forfeiting Person.

III. Sect. 2. Where the forfeiting Person enjoyed such Estate in Virtue of a Personal Right only, upon which no Enfeoffment had followed, the Commissioners shall be impower'd to make over by Assignment to the Buyer, such Personal Right as was in the forfeiting Person, with the Procuratories of Resignation, and Precepts for Livery of Seizin, that may be therein contained, to the Effect such Buyer may be enfeoffed on such Procuratory or Precept for Livery of Seizin, in the same Way as any voluntary Purchaser from the forfeiting Person might have been enfeoffed, conformable to the Laws of *Scotland*.

IV. Sect. 3. Where such Estate was holden of the Crown, the Buyer shall hold the same by a Blanch-Holding, notwithstanding the same was formerly holden by Ward or Few, or by any other Kind of Tenure.

V. Sect. 4. All Persons who shall become Purchasers of the said Estates, after having obtained Enfeoffment on such Surrender and Charter, shall have and enjoy all Powers, Privileges, Immunities and Authorities, which are held and enjoy'd by any of his Majesty's Subjects, by Virtue of such Charters and Enfeoffment; and they may sell, assign, transfer, convey, charge and incumber the said Estates by them purchased, with any Debts, Charges or Incumbrances in Law

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or Equity, as effectually as any Persons may do who have an Estate in Fee-simple.

VI. *Se^t. 5.* The Claimants who have, or shall enter Appeals from the Decree of the Commissioners to the Court of Delegates in *Scotland*, and also the said Commissioners, or any four or more of them, may, and they are hereby required, when they shall see Cause, to proceed in the same Manner, for reversing, affirming, or amending the Decrees of the said Court of Delegates, which shall be given on such Appeals, as is usual and competent by the Laws and Practices of *Scotland*, for reversing, &c. the Decrees of the Court of Session or Exchequer there; and all Decrees given on such Proceedings, shall be of the same Force, as other Decrees for reversing, &c. the Decrees of the said Courts.

VII. *Se^t. 6.* Every Decree of the said Court of Delegates shall be final and binding on all Parties, in Case 30 Days, on any of which Petitions for reversing or amending the Decrees of the said Court may be presented, shall elapse, without such Petitions being presented, either by the Commissioners or Claimants.

VIII. *Se^t. 7.* The Examinations of Claimants and Witnesses in Matters relating to Claims on the forfeited Estates in *Ireland*, or any other Matter concerning the same, where such Claimants or Witnesses shall be resident in *Ireland*, may be taken upon Oath before any two of the Judges of the Court of King's Bench, Common Pleas, or Barons of the Exchequer in *Ireland*; and such Examinations transmitted to the Commissioners residing in and acting for *England*, shall be as effectual in Law on hearing the Claims, &c. before the said Commissioners, as if such Claimants and Witnesses had appeared before them, and been personally examined.

IX. *Se^t. 8.* The Commissioners, or any four or more of them, residing in and acting for *England*, may examine any Person *viva voce*, if they see Cause.

X. *Se^t. 9.* Such Persons, and Bodies Politick and Corporate, as have, or shall purchase any Part of the said Estates, may grant and settle Rent-Charges or Annuities to the Extent and yearly Value of the same; and Bodies Politick and Corporate are enabled to purchase the said Estates, and may raise such Sums only as shall be necessary for that Purpose, by Calls from their Members, according to their respective Interests in the Stocks of such Corporations; and every Member shall have Power to convey, assign, or transfer his Share or Interest therein.

XI. *Se^t.*

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XI. *Señ. 10.* If any Body Corporate, who has or shall purchase the said Estates, or any Part thereof, shall grant or convey any Annuities or Rent-Charges, exceeding the Whole of the annual Value of the Estates so by them purchased, they shall forfeit treble the Value of such Sums of Money, or other Considerations paid or advanced, or agreed so to be, for the Purchase of every such Annuity or Rent-Charge, as shall be granted over and above the annual Value of the said Estates by them respectively so purchased: One Moiety to the King, the other to him that shall sue for the same in any Court of Record at *Westminster*, by Action of Debt, &c. wherein no Effoin, &c. shall be allowed, nor more than one Impar lance.

XII. *Señ. 11.* Where any Annuity or Rent-Charge so granted shall determine, such Body Corporate may grant another Annuity, &c. of equal Value with that so ceasing; so as the Whole of the Annuities, &c. granted by the same Corporation, subsisting at the same Time, do not together exceed the annual Value of the Estates by them so purchased.

XIII. *Señ. 12.* His Majesty may make the same Provisions for, and Settlements upon *Margaret* the Widow of the late Sir *Donald Macdonald* of *Slate* Baronet, and for *Mary*, *Margaret*, *Isabel*, and *Jane*, his four Daughters, out of the Estate of the said late Sir *Donald*, as they would have been entitled to, if he had not been attainted, and his Estate not forfeited; and such Provisions or Settlements shall be good in Law.

XIV. *Stat. 7 G. c. 22. Señ. 1.* *Charles* Earl of *Arran* shall be, and is hereby declared to be Purchaser of all the forfeited Estate and Interest of *James Butler* late Duke of *Ormonde*, of and in all and singular the Castles, Honours, Towns, Manors, Messuages, Lands, Tenements, Reversions, Chief-Rents, Mart-Earls, and other Rents, Advowsons, Rights of Presentation, Tithes, Butlerage and Prizage of Wines in *Ireland*, and all Rents granted or made payable in Respect thereof, and all other Hereditaments of what Nature or Kind soever in *Ireland*, which the late Duke of *Ormond* was seized or possessed of, interested in or entitled unto, at the Time of his Attainder, for the Sum of 50,000*l.* to be paid into the Treasury of *Ireland* in Manner following, viz. 20,000*l.* by 24 Dec. 1721, 10,000*l.* by 24 Dec. 1722, 10,000*l.* by 24 Dec. 1723, and the remaining 10,000*l.* by 24 Dec. 1724; which Sums shall be remitted into the Exchequer in *Great Britain*, for the Use of the Publick.

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XV. *Señ. 2.* All the Honours, Castles, Manors, &c. in Ireland, whereto the late Duke of Ormonde had any Right, Title, Estate, or Interest, in Possession, Reversion or Remainder, at the Time of his Attainder, (chargeable with the yearly Sum of 2000*l.* to the Lady *Mary Butler*, according to Letters Patents, and subject to her Claim for her Jointure, and also to all Incumbrances now chargeable thereon, or affecting the same Premises or any Part thereof) shall be, and are hereby vested in the said *Charles Earl of Arran*, *Montague Earl of Abington*, *James Bertie*, and *Edward Southwell Esqs.* and their Heirs and Assigns, upon the Trusts, and for the Uses, and subject to the Proviso's and Limitations following, *viz.* Upon Trust that they the said Earl of *Arran*, &c. and the Survivors or Survivor of them, and his Heirs, shall and do, by 24 Dec. 1724, by Sales or Mortgages of such Parts of the said Honours, &c. as *Charles Earl of Arran* shall think convenient, raise such Sums of Money as shall be sufficient to pay all the said late Duke's Debts as remain unpaid, and are or shall be allow'd by the Commissioners and Trustees of the forfeited Estates; and also the said 50,000*l.* for the Purchase of the Premises, and also all such other Debts as were *bona fide* due from the late Duke at the Time of his Attainder, and not secured; and after Payment of the said several Sums and Debts, and of all other Costs and Charges, occasion'd by Reason of this Act, or in the Execution of their Trust, then they shall stand seized of the Residue of the said Honours, &c. which shall then remain unfold; and of the Right of Redemption of all such as shall be mortgaged for the Purposes aforesaid, (as to such Part of the Premises as now stand limited to *Charles Earl of Arran* in Possession) to the Use of the said Earl for 99 Years. (if he so long live) without Impeachment of Waste, and after the Determination thereof, to the Use of *Francis Annesley*, and *John Cotton*, both of the *Middle Temple Esqs.* and their Heirs, during the natural Life of the said Earl to support the contingent Remainders herein after limited; and after the said Earl's Decease, to the Use of his first and other Sons successively, and the Heirs Male of their Respective Bodies; and for Default of such Issue, to the Use of the said Earl of *Arran*, his Heirs and Assigns for ever. And as for the other Premises, (subject to the Term of 99 Years granted for securing to the Lady *Mary Butler* the Annuity of 2000*l.* during the joint Lives of her and the late Duke, according to the said Letters Patents) to the Use of the said Earl of *Arran* for the Term of 99 Years from 25 March 1721, (if the late Duke shall so long live) without Impeachment of Waste; and after the Determination of that Term, to the said *Fran-*

his *Annesley* and *John Cotton*, and their Heirs, during the Life of the late Duke, to support the contingent Uses herein after limited; but in Trust to permit the said Earl of *Arran*, his Executors and Assigns, to receive the Rents and Profits thereof, to their own Use, during the Life of the late Duke; and after his Decease, (subject to the Jointure of the Lady *Mary Butler*) to the Use of the first, second, &c. Sons of the Body of the late Duke, and the Heirs Male of the Bodies of such Sons respectively; and for Default of such Issue, to the Use of the said Earl of *Arran* for his Life, without Impeachment of Waste; and after the Determination of that Estate, to the Use of the said *Francis Annesley* and *John Cotton*, during the Life of the said Earl of *Arran*, to support the contingent Uses and Remainders herein after limited: But in Trust to permit the said Earl and his Assigns, to receive the Rents and Profits thereof during his natural Life; and after his Decease, to the Use of the first, second, &c. Sons of the Body of the said Earl; and for Default of such Issue, to the Use of the said Earl, his Heirs and Assigns for ever.

XVI. Sect. 3. All such Mortgages or Sales as shall be made for the Purposes aforesaid by the said *Charles Earl of Arran*, *Montague Earl of Abingdon*, *James Bertie* and *Edward Southwell Esqrs.* of any of the Honours, &c. either in Fee, or for Term of Years, shall be good against all Right, Claims and Demands of his Majesty, and against the Commissioners and Trustees, and against the late Duke of *Ormonde*, and against the said Earl of *Arran*, and their Heirs, &c. and the said Lady *Mary Butler*, and all others who may claim any Estate, Interest, &c. by Virtue of a Settlement of 6 June 1683, or any other Settlement made by the late Duke of *Ormonde*, and *Charles Earl of Arran*, or any of their Ancestors.

XVII. Sect. 4. No Debts which may be claimed as due from the late Duke, and which have not been allowed by the said Commissioners, shall be deemed to be due from the late Duke, or entitled to the Satisfaction intended by this Act, unless Proof be made of the Reality thereof in due Course of Law, or such Debts be stated and allow'd under the Hands and Seals of *Charles Earl of Arran*, *Montague Earl of Abingdon*, *James Bertie* and *Edward Southwell Esqrs.* or the Survivors of them: All which, and the other Debts of the late Duke shall be paid in such Priority and Course of Payment, as the said *Charles Earl of Arran* shall direct: And all Sums of Money to be paid by any Purchaser or Mortgagee, to any Creditor, in Pursuance of such Direction of the Earl of *Arran*, or into the Treasury of *Ireland* towards Payment of the Purchase-Money, shall be deemed sufficient Payment, by such Purchaser or Mortgagee, to all
Intents

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Intents whatsoever : And the Receipts given by the said Earl of *Arran*, &c. shall be sufficient Discharges.

XVIII. *Señ. 5.* All Debts, Arrears of Rent, and all other personal Estate, not already sold by the Commissioners, and which the late Duke, or any Person in Trust for him, was possessed of, or entitled to, in *Ireland*, in Right of the late Duke, at the Time of his Attainder; and all Rents, Arrears of Rents, Rights of Action, Sums of Money, which have accrued in Respect of the said forfeited Estate, or any Part thereof, since the said Attainder, and have not been applied in Discharge of Incumbrances affecting the same, shall be vested in *Charles Earl of Arran*, his Executors, &c. who may sue for and receive the same, as amply as the late Duke might have done before his Attainder, or as the Commissioners might have done, if this Act had not been made.

XIX. *Señ. 6.* All Rights of Entry and Action, and all Powers vested in the said late Duke before his Attainder, for granting Leases for Lives, or making Grants in Fee-Farm of any of his Lands, &c. and all other Powers vested in him, or in others in Trust for him, or vested in the Commissioners, and not already executed by them, are hereby vested in the Earl of *Arran*.

XX. *Señ. 7.* All the Real and Personal Estate the late Duke was seized of, on 24 *June* 1715, or at any Time since, in Trust for any other Person, is hereby vested in the Earl of *Arran*, subject to the same Trusts, and in the same Plight as they were vested in the late Duke at the Time of his Attainder. Except such Estates in Trust, as have already been taken out of the said late Duke by any Act of Parliament.

XXI. *Señ. 8.* All the Sums of Money which have been received out of the forfeited Estate of the said late Duke, or which are due for the Pension of 5000 *l. per Annum*, granted by the late Queen, or in Respect of Prizage and Butlerage, shall be subject to, and apply'd to discharge such of the Debts and Incumbrances of the said late Duke, as are charged thereon, and decreed by the said Trustees to be satisfy'd, so far as the said Money in the Treasury of *Ireland*, or in the Exchequer of *Great Britain*, will extend.

XXII. *Señ. 9.* After Payment of the Debts charged on the said Pension of 5000 *l. per Annum*, out of the Produce thereof, and which are not charged on any other Estate of the said late Duke, and shall be allowed by the said Commissioners and Trustees, and for which they shall issue Debentures; then the said Pension shall cease.

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XXIII. *Señ. 10.* In Case Default be made in Payment of the said Sum of 50,000 *l.* then it shall be lawful for the Barons of the Exchequer in *Ireland*, to sell so much of the said Honours, &c. as shall be sufficient to satisfy so much thereof as shall then remain unpaid; which Sales so made by the Barons, shall be as valid, as if the same had been made by the said Earl of *Arran*, Earl of *Abingdon*, *James Bertie* and *Edward Southwell*, pursuant to the Powers hereby given them.

XXIV. *Señ. 11.* Saving to the King, his Heirs, &c. all such Estate, Right, &c. in, to or upon the said Manors, &c. as his Majesty had, or was entitled to, before the said late Duke became attainted.

XXV. *Señ. 12.* Saving to all other Persons, Bodies Politick and Corporate, their Heirs, &c. (except the said Commissioners and Trustees, the said *James Butler* late Duke of *Ormonde*, the Earl of *Arran*, their Heirs, and the Sons and Daughters of either of them; the said Lady *Mary Butler*, &c.) all such Estates, Rights &c. as they would have been entitled unto, in Case this Act had never been made.

XXVI. *Señ. 13.* Saving to the Lady *Amelia Butler*, her Executors, &c. all such Sums of Money, Right, Title, &c. as she was, or would have been entitled unto, by Virtue of the (*private*) Act 3 G. c. 21.) For raising and paying the Lady *Amelia Butler's* Portion out of the Lands in *Ireland*, in Case this Act had not been made.

XXVII. *Señ. 14.* Saving to *Elizabeth Countess of Arran*, Wife of the said Earl, all such Jointure or Provision, as she hath or may claim in all or any of the Premises.

XXVIII. *Señ. 15.* Saving to *Thomas Butler of Kilcash* in *Ireland* Esq; Son and Heir of *Walter Butler* deceased, who was Son and Heir of *Richard Butler*, Brother of the first Duke of *Ormonde*, and to all other the Male Descendants of the said *Richard Butler*, and to all other Persons, (the said late Duke only excepted) and to those deriving under them, to whom any Remainders are limited by the said Settlement of 6 June 1683, all such Rights, &c. as they would have been entitled to, if this Act had not been made.

XXIX. *Señ. 16.* Nothing in this Act shall extend to revive and set up the Regalities and Liberties of the County of *Tipperary* and *Cross-Tipperary*, commonly called the County Palatine of *Tipperary*, which were granted by King *Charles II.* to *James* then Duke of *Ormonde*, and the Heirs Males of his Body, and for want of such Issue, to the Heirs Males of the Body of *Peter Butler*, formerly Earl of *Ormonde* and *Ossery*, and confirmed by an Act made in *Ireland* 14 & 15 Car. 2. but the same Regalities and Liberties shall be deemed annulled, and for ever extinguished, according to the

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Direction of several Acts made in Great Britain and Ireland, in the first and second Years of his present Majesty's Reign.

XXX. *Señ. 17.* A Debt of 2484*l.* 10*s.* charged on the Estate of *Henrietta-Maria Lady Ashburnham*, deceased, to which *William* late Lord *Widdrington* was entitled as residuary Legatee to *William* Lord *Widdrington*, deceased, his late Father, shall be vested in the Lord *Morpeth* and *James Grahme Esq;* in Trust for him; and they may sue for and receive to their own Use, but in Trust for him the late Lord *Widdrington* the Son, the said Debt, with such Interest as is due for the same, or otherwise compound for the Discharge of the Estate of the said Lady *Ashburnham*, of and from the said Demand; and from henceforth the Estate of the said Lady *Ashburnham*, so far as concerns the said Debt, shall not be liable to any Demand of the Trustees for forfeited Estates, or any claiming under them.

XXXI. *Señ. 18.* The several Powers, by the Act 5 G. c. 22. (for enlarging the Time to determine Claims on the Forfeited Estates) enlarged and continued to 24 June 1720, and from thence to the End of the then next Session of Parliament, are hereby enlarged to 24 June 1722, and from thence to the End of the then next Session of Parliament; and the several Powers granted to his Majesty for appointing Courts of Delegates, and for the said Delegates to determine Claims in Cases of Appeals from the Decrees of the Commissioners and Trustees, enlarged by the said Act to 29 Sept. 1720, and from thence to the End of three Months next after the then next Session of Parliament, shall be enlarged to 29 Sept. 1722, and from thence to the End of three Months next after the End of the then next Session of Parliament.

XXXII. *Señ. 19.* The Commissioners named in the Act 1 G. c. 52. for appointing Commissioners to enquire of the Estates of certain Traitors, &c. shall, under their Hands and Seals, certify into the Court of Exchequer, all such Messuages, Lands, &c. as they on Enquiry have found to be given to Popish or Superstitious Uses, and what they have found on such Enquiry, and who were the Discoverers thereof; and on such Certificate the said Court shall order such Proceedings to be had thereupon, as if the same had been found by Inquisition; and all Parties interested in any such Messuages, &c. may traverse or plead to such Certificate, as they might have done, if the same had been duly found by Inquisition, and return'd into the said Court; and the Court shall have Power to reward the Discoverers of such Messuages, &c. as shall be certify'd to them, according as by the said Act of 1 G. is appointed.

XXXIII. Stat. 9 G. c. 1. Sect. 1. All Persons that are, *8 Mod. 96.* or shall be in Prison in Great Britain, on 10 Octob. 1722, or after, by Warrant of his Majesty's Privy Council, sign'd by six of the Privy Council, for High Treason, Suspicion of Treason, or treasonable Practices; or by Warrant sign'd by any of his Majesty's Principal Secretaries of State, for such Causes, may be detained in safe Custody without Bail or Mainprize, till 24 Octob. 1723: And no Judge or Justice of the Peace shall bail or try any such Person, without Order from his Majesty's Privy Council, sign'd by six of the Privy Council, till the said 24 Octob. 1723.

XXXIV. Sect. 2. The Act made in Scotland in the Year 1701, *For preventing wrongous Imprisonment, and against undue Delays in Trials*, in so far as the same may be construed to relate to Cases of Treason, and Suspicion of Treason shall be suspended till the said 24 Octob. 1723, and till that Day no Judge, Justice of Peace, or other Officer of the Law in Scotland, shall liberate, try, or admit to Bail any Person that is or shall be in Prison within Scotland, for such Causes, without Order from his Majesty's Privy Council, sign'd by six of the Privy Council.

XXXV. Sect. 3. After the said 24 Octob. 1723, the Persons so committed shall have the Benefit of all Laws, relating to or providing for the Liberty of the Subjects of this Realm; and this Act shall continue till the said 24 Octob. and no longer.

XXXVI. Sect. 4. Nothing in this Act shall extend to invalidate the antient Rights and Privileges of Parliament, or to the Imprisonment or Detaining of any Member of either House of Parliament, till the Matter of which he stands suspected be first communicated to the House of which he is a Member, and the Consent of the said House obtain'd for his Commitment or Detaining.

XXXVII. Stat. 9 G. c. 19. Sect. 3. The full Sum of 12,000*l.* out of the Monies arisen at the Exchequer from the Sale or Produce of any the Estates forfeited for Treason in the late Rebellion, which Estates were vested in Trustees, to be sold for the Use of the Publick, shall be issued and apply'd towards the future Support and Maintenance of William late Lord Widdrington, and his Family, and for Payment of his Debts, without Account, Imprest, or other Charge to be set upon him for the same: And the Treasury are authorized to cause the said Sum of 12,000*l.* to be issued and paid to the said late Lord Widdrington, or his Assigns, without any Abatement for Fee or Charges, or any other Deduction whatsoever.

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XXXVIII. *Seff.* 14. The several Powers by the Act 7 G. c. 22, enlarged and continued to 24 *June* last, and from thence to the End of this Session, and respecting the Commissioners and Trustees hereby provided to act in *Scotland* only, shall be enlarged to 26 *March* 1724; and the Powers granted to his Majesty, for appointing Courts of Delegates to determine Claims in Cases of Appeals from the Decrees of the said Commissioners, enlarged and continued by the said Act 7 G. c. 22, to 29 *Sept.* last, and from thence to the End of three Months after the End of this Session, and respecting such Court of Delegates in *Scotland* only, shall be enlarged to 29 *April* 1724.

XXXIX. *Seff.* 15. The forfeited Estates in *England*, which shall remain unfold after 29 *Sept.* 1723, are hereby devested out of the Commissioners and Trustees, and vested in the Crown for the Use of the Publick.

XL. *Seff.* 16. It shall be lawful for his Majesty, by Warrant under his Sign Manual, to appoint any six of the surviving Commissioners and Trustees, named in the former Acts, to be Commissioners and Trustees (three of whom to be a *Quorum*) to execute the said Acts in *Scotland*, who shall have all the Powers, &c. in the former Acts contained.

XLI. *Seff.* 17. The Persons so to be appointed shall not incur any Disability or Penalty for putting this Act in Execution, or on Account thereof be incapable of sitting in Parliament.

XLII. *Seff.* 18. The forfeited Estates in *Scotland*, by former Acts vested in the said Commissioners and Trustees, which on 26 *June* shall remain unfold, are hereby devested out of the said Commissioners, and vested in the Crown for the Use of the Publick.

XLIII. *Seff.* 19. Saving to the King's Majesty, his Heirs, &c. full Power and Liberty to appeal, according to the Laws and Usage in *Scotland*, from any of the Decrees of the Court of Delegates in *Scotland*, touching any of the Powers vested in them, by this or any former Acts, any wise relating to the forfeited Estates in *Scotland*, or any Right, &c. arising from the same.

XLIV. *Stat.* 10 G. c. 5. *Seff.* 5. The full Sum of 6000*l.* out of the Money arisen at the Exchequer, from the Sale or Produce of the Estates forfeited for Treason in the late Rebellion, shall be issued and apply'd towards the future Support of Catharine Collingwood, Widow of George Collingwood, attainted of high Treason, and her Family, and for the Payment of her Debts, without Account, Imprest, or other Charge, to be set on the same: And the Treasury are impower'd to cause the said Sum of 6000*l.* to issued and paid

paid to her or her Assigns, without any Fee or Abatement whatsoever.

XLV. Stat. 10 G. c. 10. Sect. 49. Out of the 5100*l.* arising from the Sale or Produce of the Estate of *Robert Dalzell*, late Earl of *Carnwath*, forfeited for Treason, such Sums of Money (after paying the proportionable Part of the Demands of such Creditors, whose Claims have been allowed, and affect the said Estate) shall be issued and apply'd for the future Support and Maintenance of the said *Robert Dalzell*, late Earl of *Carnwath*, attainted of High Treason, and his Family, and for Payment of his Debts, without Account, Imprest, or other Charge set upon him for the same, as his Majesty, by his Sign Manual, shall think fit to direct: And the Treasury are empower'd to cause the same to be paid to the said late Earl or his Assigns, without Abatement for Fees, or other Deductions whatsoever.

Trees.

I. Stat. 6 G. c. 16. Sect. 1. If any Person whatsoever, after 24 *June* 1720, shall, either by Day or by Night, cut, take, destroy, break, throw down, bark, pluck up, burn, deface, spoil, or carry away, any Wood-Springs, Trees, Poles, Wood, Tops of Trees, Underwoods, or Coppice-Woods, Thorns or Quicksets, without Consent of the Owner, or Person chiefly entrusted with the Care and Custody thereof; or shall break open, throw down, level or destroy any Hedges, Gates, Posts, Stiles, Railing, Walls, Fences, Dikes, Ditches, Banks, or other Inclosures of such Woods, Wood-Grounds, Parks, Chases, or Coppices, Plantations, Timber-Trees, Fruit-Trees, or other Trees, Thorns or Quicksets, the Lords of Manors or Owners who shall be damaged thereby, shall have such Remedy and Satisfaction from the Inhabitants of the Parishes, Towns, Hamlets, Villages, and Places joining to such Wood-Springs, &c. and recover such Damages against the Parish, &c. and in the same Manner, as for Dikes and Hedges overthrown by Persons in the Night, or at another Season when they suppose not to be espy'd, as by 13 *E. 1. c. 46.* (which see in Vol. I. Tit. *Approbement.*) is set forth and provided; unless the Offender shall, by such Parish, &c. be convicted of such Offence within six Months after the committing thereof.

II. Sect. 2. If any Person, at any Time after the said 24 *June*, in a riotous, open, tumultuous, or in a secret and clandestine Manner, forceably or wrongfully, and maliciously,

ciously, and without the Consent of the Proprietor, Wood-Reeve, or Person chiefly entrusted with the Care, Oversight, and Custody of such Woods, Wood-Grounds, &c. shall cut down, destroy, burn, deface, carry away, &c. any Wood, or Springs of Wood, &c. or shall, in such riotous, &c. Manner, maliciously break open, throw down, level or destroy any Hedges, Gates, Posts, Fences, Ditches, &c. or other Inclosures of such Woods, &c. any two or more Justices of the Peace of the County, Riding, &c. or the Justices in open Sessions, upon Complaint to them made by any Inhabitant of such Parish, &c. or of the Owner of such Trees, Woods, &c. or of any other, may cause the Offender to be apprehended, and hear and finally determine and adjudge all such Offences: And if such Justices shall convict any Person of all or any the Offences and Trespases aforesaid, they shall, immediately after such Conviction, inflict all and every the same Penalties and Punishments in the said Act of 13 E. 1. as fully and in the same Manner, for all and every the Offences herein before expressed, though not contained in the said Act, as if the same were here again repeated and re-enacted.

III. *Seç. 3.* If any Action or Suit be commenced or prosecuted, for any Thing done in Pursuance of this or the before recited Act; the Defendant may plead the General Issue, &c. and recover treble Costs.

Trial.

I. *Stat. 6 G. c. 19. Seç. 4.* If any Persons, who after 1 January 1720, shall be in actual Service and Pay in his Majesty's Fleet, or Ships or Vessels of War, shall commit any of the Crimes or Offences mentioned in the Articles 13 *Car. 2 c. 9. For establishing Articles and Orders for the regulating and better Governing his Majesty's Ships of War and Forces by Sea*, upon the Shore in any Foreign Parts; the Offenders shall be subject to be punished for the same, in the same Manner, as if the said Crimes or Offences had been actually committed upon the main Sea, or on Board any of his Majesty's Ships of War.

II. *Stat. 6 G. c. 21. Seç. 24.* After 1 Aug. 1720, if upon Trial of any Information, Action, Suit, or Prosecution whatsoever, relating to the Duties of Customs or Excise, or to any Seizures, Penalties or Forfeitures relating to the said Duties; or if upon Trials in any Action, &c. against any Persons for any Thing done in Pursuance of any Acts relating to the said Duties, any Question shall be made,
or

or any Doubts or Disputes shall arise, touching the Keeping of any Office of Excise, in any City or Town, or touching one or more Defendants being Officers of either of the said Duties; in every such Case Proof may be made, either of the actual Keeping of such Office in such City, &c. or of such Defendants actually Exercising of, or of being employ'd in such Offices, before and at the respective Times, when the Matters in Question on such Trials shall have been committed or omitted, without producing any particular Persons to prove the Names of the Commissioners to any Commissions to be of their own Hand-Writing. And such Proof shall be deemed legal and sufficient Evidence unless or until by other Evidence the contrary shall appear.

Vagrants.

I. **Stat. 6 G. c. 19. Sect. 2.** The Justices of Peace, within their respective Jurisdictions, may commit Vagrants, and other criminal Persons charged with small Offences, either to the Common Gaol, or House of Correction, as they in their Judgment shall think proper.

Wales and Counties Palatine.

I. **Stat. 8 G. c. 25. Sect. 6.** After 24 June 1722, any Judge or Officer of any of the Courts of Great Session in the Principality of Wales, or Court of Session in the Counties Palatine of Chester, Lancaster, and Durham, that shall sign any Judgments, shall, at the signing the same, without Fee, set down the Day of the Month and Year of his so doing, upon the Paper-Book, Docket, or Record, which he shall sign: Which Day of the Month and Year shall be also enter'd upon the Margent of the Roll of the Record where the said Judgment shall be entered; and such Judgments, as against Purchasers *bona fide* for valuable Consideration of Lands, Tenements, or Hereditaments to be charged thereby, shall, in Consideration of Law, be Judgments only from such Times as they shall be so signed, and shall not relate to the first Day of the Session whereof they are enter'd, or the Day of Return of the Original, or Filing the Bail.

Warrants.

I. Stat. 6 G. c. 21. Sect. 53. No High-Sheriff, Under-Sheriff, or their Deputies, Clerks or Agents, shall, after 1 Aug. 1720, make or cause to be made or deliver'd out any Warrant, either blank or filled up in Part or in all, before they shall actually have in their Custody the Writs upon which such Warrants ought to issue, on Forfeiture of 10*l*. for every Offence.

II. Sect. 54. Every Warrant to be made out, or to issue upon any Writ sign'd before Judgment, to arrest any Person thereupon, shall have the same Day and Year distinctly set down thereon, as shall be so set down on the Writ it self, under Forfeiture of 10*l*. for every such Omision; to be paid by the Person who shall fill up or deliver out such Warrant: Both which Penalties to be sued for, recovered and divided in such Manner, as the other Penalties in the Act 9 W. 3. c. 25, are directed to be sued for, &c.

Westminster.

I. Stat. 8 G. c. 26. Sect. 1. Colonel *John Fane*, Colonel *Richard Moleworth*, Colonel *James Otway*, Colonel *Robert Gardner*, Sir *Andrew Chadwick* Knt. *Henry Herbert*, *William Lewis le Grand*, and *William Churchill*, Capt. *King*, *William Green*, *Thomas Beake*, *John Eckersall*, *James Scanland*, *William Looker*, *Joseph Watts*, and *John Briscoe*, Esquires, shall be and are hereby appointed Commissioners, Undertakers and Trustees, for providing and supplying the City and Liberties of *Westminster*, and Parts adjacent, with good and wholsom Water from the River *Thames*, by Cuts to be made at any convenient Places between the Grounds belonging to *Chelsea-Hospital* and the *Neat-Houses*, into Canals and Ponds proper for receiving the same; and from thence to convey and raise such Water into convenient Reservoiries, to be made at any Place between *Olivers-Mount* and *Hyde-Park*; and for directing, carrying on and making such Waterworks, and maintaining and supporting the same; and the Property thereof is hereby vested in them and their Successors.

II. Sect. 2. If any Person shall wilfully or maliciously hinder, or interrupt the making the said Waterworks, or pull down or destroy any Part thereof, or attempt so to do; or shall remove or take away any of the Works or Materials, or direct or procure the same to be done, whereby the Waterworks may be damaged; such Offender shall forfeit to the

the Commissioners treble Damages with full Costs of Suit, to be recovered by Action of Debt, &c.

III. *Seft.* 3. It shall be lawful for his Majesty, by Letters Patent under the Great Seal of *Great Britain*, to incorporate the said Commissioners, and such others as his Majesty shall think fit, to be one Body Politick and Corporate, by the Name and Title of *The Governor and Company of Chelsea Waterworks*, to have perpetual Succession and a Common Seal, and such Seal to change and alter, as shall be found expedient; and they and their Successors, by the same Name, shall be capable to purchase and enjoy Messuages, Lands, &c. not exceeding 1000 *l. per Annum*; and to sell, or otherwise dispose of the same at their free Wills and Pleasures; and to sue and be sued; and to chuse their Successors and Officers; and to do all other Matters that to them shall appertain to do, with such Powers as shall be requisite for supporting the Waterworks, and all Passages and Watercourses thereto belonging; and to be under such Rules as his Majesty shall think necessary to be inserted in such Letters Patent: And his Majesty may by such Charter, impower them to make Laws, Orders, and Ordinances for the good Government of the Corporation; and to inflict reasonable Penalties for any Breach thereof, and to levy the same to the Use of the Corporation.

IV. *Seft.* 4. The Commissioners may dig, cur, make and erect, and from Time to Time repair, maintain, alter and cleanse their Sewers, Water-courses, Dams, Banks, Arches, Floodgates, Sluces, and other Works which shall be made for conducting the Waters, through or under any Roads or Streets, or in, through, under or over any Ground, which shall be purchased by them for the said Purposes, and discharge thereout the Waters; and make new Ponds or other Receptacles for Water, as Occasion shall require, in convenient Places in or near *Westminster*, or the Liberties thereof.

V. *Seft.* 5. It shall not be lawful for any Persons to cast or put into any of the Water-courses, Ponds, Pipes, &c. any Filth, Dirt, Rubbish, Gravel, Stones dead Carcasses, Carrion or other unwholesom Thing, nor to wash any Cloaths, Wool, Hemp, Flax, or other noisome Thing, nor to make any Drain or Ditch into any of the Water-courses, &c. or to have any Fall into the same, or to do any other Annoyance thereto, on Pain to forfeit for every Offence, being convicted, 40 *s.* with double Damages and full Costs of Suit, to the Use of the Company; to be recovered by Action of Debt, &c. And the Commissioners shall have Remedies by Bill in Chancery, and by Injunction, to quiet their Possessions under the Powers given by this Act; and to have Discovery upon Oath, whether the Defendants, or who else did, or procured or caused to be

done, the Trespasses complained of; and shall have Liberty, within six Months after Discovery, to commence any Suit at Law to recover Satisfaction.

VI. *Seff.* 6. The Commissioners, before they intermeddle with, or cut, dig, or alter the Lands, Inheritance or Possession of any Person, shall first agree with the Owners or Tenants thereof; and in Case they lay any Pipes in or near any Highway, they shall, at their own Expence, make good the Highway, as often as Occasion shall require.

VII. *Seff.* 7. The Commissioners may, without Molestation, lay Pipes in or through any of the Streets, Passages or Common Grounds, in or about *Westminster*, and the Parts adjacent, to supply the Inhabitants with Water, and break up the Pavements, and dig for laying and repairing such Pipes, filling up and making good the same, and carrying away their Rubbish as soon as may be.

VIII. *Seff.* 8. If the major Part of the Inhabitants of any Street, Squares, or other Places, into which the Commissioners shall bring or lay Water-Pipes, shall desire to have Pipes standing upright in the Likeness of Pumps, to be set up of any reasonable Height, to be ready on all Occasions, for the better conveying Water into Engines for extinguishing Fires; the Commissioners shall at their own Charges set up such Pipes, in such convenient Places as the Inhabitants shall appoint, upon which Pipes the Commissioners may fix and keep Locks, and the Keys thereof shall be kept by the Churchwardens, or by such Persons as the Inhabitants shall appoint.

IX. *Seff.* 9. This Act shall not hinder the New-River Company, or the Mayor, &c. of *London*, or their Lessees, or the *York-Buildings* Company, or any other Proprietors of Waterworks, or any claiming under any of them, from using, enjoying, &c. all lawful Rights, Powers, Advantages, &c. which they are now, or hereafter shall be entitled unto.

X. *Seff.* 10. It shall not be lawful for any of the Proprietors of Waterworks, their Lessees, Agents, &c. or any others, to disturb or hinder the laying or repairing of any of the said Pipes, &c. or to do any Prejudice or Damage to the same.

XI. *Seff.* 11. It shall not be lawful for any Person, having any Share or Stock in the said Undertaking, to transfer or assign the same, before the Water be brought into the Grand Reservoir, intended to be at or near *Oliver's Mount*.

XII. *Seff.* 12. This Act shall be deemed a publick Act, and Notice shall be taken thereof as such, in all Courts of Justice and elsewhere, without special pleading of the same; and it shall be beneficially expounded for effecting the Purposes thereof: And if any Action be brought against any Person,

Person, or against the Company, for any Thing done pursuant to this Act, or in Relation to the Premises, the Defendant may plead the General Issue, &c. and if the same shall appear to have been so done, the Jury shall find for the Defendant; or if the Plaintiff shall become nonsuited, &c. the Defendant shall have double Costs.

XIII. *Seç.* 13. Nothing in this Act shall extend to prejudice, or take away the Right or Jurisdiction of the Mayor, Commonalty and Citizens of *London*, to and upon the River *Thames*: Nevertheless it shall be lawful, as there shall be Occasion, for effecting the Purposes of this Act, to cut the Bank or Wall of that River, within the said Limits, without forfeiting or paying any Thing for the same.

Wines.

I. *Stat.* 6 *G. c.* 12. *Seç.* 1. For preventing the Disputes which frequently arise between the Officers of the Customs, and the Merchants in the making and adjusting the Allowances which damaged Wines may deserve; the same depending for the most Part, on the Taste thereof; Enacted, That from 2 *May* 1720, the tenth Rule annexed to the Act of Tonnage and Poundage 12 *Car.* 2. relating to corrupt and unmerchantable Wine, be repealed and made void.

II. *Seç.* 2. After the said 2 *May* 1720, there shall be made as well to the Merchant at Importation, as also to the Prize-Master, out of all the Gross Duties now laid on Wines in Casks, (except the Coinage-Duty by 18 *Car.* 2.) above the present Abatements and Discounts, the several Allowances following, *viz.*

Upon *Rhenish* Wine, or Wines of the Growth of *Germany*, or which pay Duties as such, 2 *l.* per Cent.

Upon *French* Wines, or Wines of the Growth of *France*, or of any the *French* King's Dominions, 6 *l.* per Cent.

Upon *Spanish*, *Portuguese*, and all other Wines (except *Rhenish* or *French*) 10 *l.* per Cent.

Which several Allowances to be deducted on the Deben-ture, in Case the Wines be again exported.

III. *Seç.* 3. In Case any Merchant or other Person shall find his Wines so damaged and unmerchantable, that he shall refuse to pay or secure the Duties for the same, he shall have Liberty, immediately after the Landing, to stave or destroy such Wines, in the Presence of two or more Officers of the Customs, to be appointed by the Collector, and one of the Principal Officers of the Port; who shall take an exact Account of the Wine so staved, that the Duty may be repaid without Delay or Charge to the Merchant, by Certi-

ficate ; or that the Quantity of Wine so staved be deducted from the Foot of his Account, in the Books kept by the proper Officer appointed to the Discharge of the Ship importing the Wine.

IV. *Señ. 4.* Over and above the Duties repaid or allowed, the Merchant shall, for every Tun of Wine of the Growth of *Germany*, or Wines which pay Duties as such, or of the Growth of *France*, be allowed, as a Compensation for Freight and other Charges, the Sum of 4*l.* and for Wines of the Growth of *Spain*, *Portugal*, and elsewhere, the Sum of 8*l.* per Tun, and so proportionably ; to be paid without Delay by Certificate, out of the Duties arising by the said Act of Tunnage and Poundage ; and the Officers are required to make, pass, and pay such Certificate without Fee or Reward.

V. *Señ. 5.* After 2 *May* 1720, every *British* Merchant shall have 18 Months, and every Alien 15 Months Time, from the Importation of all Wines, to export the same ; which Importation shall be reckoned from the Master's Report of the Ship ; and shall have the like Benefit and Drawback by such Exportation, as if the same had been exported in 12 Months or 9 Months respectively, as mentioned in the 2d and 4th Rules annexed to the said Act of Tunnage and Poundage : Provided Certificates and Oaths be made, and all other Requisites performed, according to the Laws now in Being, relating to the Importation and Exportation of Wine.

VI. *Señ. 6.* And as a farther Encouragement, the Merchant Exporter shall be allowed, on the Terms and Conditions aforesaid, two Thirds of the Impost-Duty paid on the Importation of Wine, by Virtue of the Act 1 *Jac.* 2. c. 3.

VII. *Señ. 7.* Nothing herein shall be construed to extend to or diminish the Duties of Prizage and Butlerage of Wines due on the Importation thereof ; but the same shall be collected and taken in the same Manner as if this Act had not been made.

VIII. *Stat.* 8 *G.* c. 18. *Señ.* 19. No Allowance shall be made by Virtue of 6 *G.* c. 12, for the Freight or Charges of any Wine imported after 25 *March* 1722, unless such Wine be imported in Casks on board some Merchant-Ship, directly from the Country of its Growth, or the usual Port or Place of its first Shipping.

IX. *Señ.* 20. If any Ships having Wines on board, shall by Strefs of Weather, or other Accident, be stranded, the Wines which shall be saved, may be put on board any other Vessel, and carried to any of the lawful Ports for landing of Goods in this Kingdom, and be entitled to the same

Allowances for such of them as shall be staved, as if they came in the Ship in which they were first loaded.

Wool-Key.

I. Stat. 8 G. c. 31. An Act to vest the Ground, Wharf, and Key, called *Wool-Key*, in the Parish of *All Saints Bark- ing* in the City of *London*, with the Buildings and Warehouses thereupon, in Trustees for his Majesty, his Heirs and Successors for ever; subject to an Agreement made on his Majesty's Behalf, with the Wardens and Assistants of the Free-School in *Sevenoake* in the County of *Kent*. See the Statute at large.

York.

I. Stat. 8 G. c. 27. Sect. 1. From 25 *March* 1722, *Micklegate-Market*, or any other Place within the City of *York*, (which the Mayor and Commonalty shall judge most commodious) shall be every Day in the Week, (except *Sundays*) a free and open Market for Butter; and any Persons may buy or sell Butter there without Disturbance: And after the said 25 *March*, all Butter brought to the said City in Firkins, Half-Firkins, Tubs, or other Casks, or in Pots or other Vessels, to be sold, or to be exported or Water-born from the said City, or from any Part of the River *Ouse*, as far as the River *Wharfe*, shall be brought to the said Market to be viewed, searched, weighed, and sealed with the Seal of the Market, which the proper Officer is required to do; and it shall be lawful for the Mayor and Commonalty, or their proper Officer, to take from all Persons bringing Butter to the said Market to be searched, &c. the ancient and accustomed Rates, and no more; viz. For every Firkin, Half-Firkin, or other Cask, Pot, or Vessel of Butter, one Half-penny, and proportionably for Butter put into any Tub or Vessel containing a greater Quantity than a Firkin, and in Case of Neglect or Denial of Payment on Demand, the Mayor, &c. may detain any Firkin, &c. till they are paid the same.

II. Sect. 2. If any Dairy-Farmer, or any other Person, shall bring any Butter to *York*, to be sold there, or to be Water-born from thence, on any Part of the River *Ouse*, as far as the River *Wharfe*, and shall sell or transport the same before it be brought to the Butter-Market to be viewed,

searched and weighed, he shall, on Proof thereof by the Oath of one Witness before any Justice of the Peace of the City, forfeit for every Firkin, &c. 3 s. 4 d. and in Default of Payment on Demand, the same may be levied by Distress and Sale of the Offender's Goods, restoring to him the Overplus, (Charges deducted) one Moiety to the Poor where the Offence shall be committed, to be paid to the Churchwardens and Overseers, the other to the Informer.

III. *Seff.* 3. If any Firkin or other Vessel of Butter, which shall be brought to the Market, shall be found to be faulty in full Quantity, or due Quality appointed by the Act 13 & 14 Car. 2. c. 20. the Owner, Farmer or Packer, shall be liable to such Forfeitures as are contained in the said Act, *For reforming of the Abuses that are committed in the weighing and false packing of Butter.*

IV. *Seff.* 4. All Prosecutions for Offences against this Act shall be commenced within four Months after the Offence committed.

V. *Seff.* 5. The Person to be appointed for searching, &c. the Butter, shall be appointed by the Mayor, and sworn at the General Quarter-Sessions for the City, next after Easter, for the due Execution of the Office.

VI. *Seff.* 6. Persons aggrieved by the Determination of any Justice, may appeal to the next General Quarter-Sessions, the Determination whereof shall be final, and conclusive to all Parties, and they may award Costs to either Party.

VII. *Seff.* 7. This Act shall not extend to compel the Bringing to the Market any Vessel of Butter, which shall contain but the Quantity of four Pounds or under, or to make such Vessels liable to the Duty.

VIII. *Seff.* 8. In all Actions that shall be brought for any Thing done in Pursuance of this Act, the Persons sued may plead the General Issue, &c. and on a Verdict, &c. shall have double Costs.

T H E

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F I N I S.

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